THE CULTURE OF KENT RICHARD T. COOPER

THE NATION

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THE COPS HIT THE JACKPOT

Joseph C. Goulden

" . . . the federal government has taken the first dangerous steps toward transforming the United States into a society whose police agencies have a repressive capacity unparalleled in history."

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EDITORIALS

Fight or Switch?

On the plane from San Clemente, chatting with the "Buckley Bunch" in the luxurious setting of Grand Cay Island, and then back at the White House, the President has been trying to figure out just what went wrong with "the game plan." He has good reason to be puzzled and concerned. The Southern strategy flopped; so did the attempt to woo labor; the "social issues"—urgently pressed on the President by Messrs. Scammon and Wattenberg—did not pay off (that Dayton, Ohio, housewife, married to the machinist, proved to be perverse); and the crude effort to picture the Democrats as Mafia types, soft on drugs and organized crime, backfired nearly everywhere.

At the moment, Nixon is the beneficiary of much unsolicited advice from columnists and commentators and critics. With one voice they say to him: "Back to the Center!" But the real question is, *can* the President get back to a center line of decency and moderation? To be sure he might—and no doubt will—abandon certain slogans, change his rhetoric, and place a greater verbal emphasis on popular domestic programs. But change direction? Hardly. Mr. Nixon is "surrounded." He has Senator Tower in Texas, Senator Thurmond in South Carolina, Senator Goldwater in Arizona, Governor Reagan in California, and the "Buckley Bunch" in New York.

Down at Grand Cay, the Buckleys told him that if he wants their support in 1972 he must agree to a joint Conservative-Republican slate of delegates and enter his name on both party lines on the ballot. This would be tantamount to accepting a shotgun marriage between the party of Abraham Lincoln and the minuscule Conservative Party (actual membership about 350,000), which has shown a distinct lack of interest in, among other groups, the Negro minority. The President must know the risks —particularly if Agnew is again his running mate—but even so he may be forced to accept the blitz from the Right.

Nationally, the "radical Right" has little grass-roots strength, but it does have a tightly knit organization, first put together by F. Clifton White (who managed Buckley's campaign) in 1964. It also has a fine pack of fat-cat millionaires. In California such true believers as Pat Frawley and Henry Salvatori, and their associates, can be troublesome to Nixon, not because of any votes they command but because they are rich, radical and regressive. The President no doubt feels that he must keep these elements "under his wing" to prevent them from flying out of control. But already, perhaps, they have more control of him than he has of them.

Moreover, by drawing a tight ideological line in this year's campaign—which helped elect Senators Brock, Beall and Buckley—the President may have committed himself to the conservative Right more firmly than he intended. Right-wing advisers surround him in the White House. Even if he wanted to do so, he would find it difficult, after this campaign, to enlist bright young talent at the middle levels of government. He probably could not dispense with Murray Chotiner, even if he thought it prudent; Chotiner knows where too many bodies are buried. Vice President Agnew, the symbol of divisiveness, is anathema to liberal Republicans. He could be dropped from the ticket, but not easily: hard-core Republicans are devoted to him, he raised a lot of money, and he picked up numerous political IOUs. Even if Mr. Nixon tries to reverse his field, he will find that, under the leadership of Carl Albert, the House will not be as passive as it was under the somnolent John McCormack. Finally, the President's tactics severely damaged the "New Nixon" image, which he had so carefully cultivated. For him now to simulate the high moral tone of Presidential leadership—after having accused the opposition of being soft on crime and violence—would be both ludicrous and ineffectual. All in all, it would be easier and perhaps wiser for the President to fight than switch; it comes naturally to him and has become his real life style.

The Troubles of Helsinki

One difficulty in the arms limitation talks is that, while neither side really believes that the other will launch a first strike, the nuclear theoreticians in both camps fear that any preponderance of strategic nuclear force would embolden its possessor to pursue a more aggressive foreign policy. With Mr. Nixon committed to the doctrine that America seeks only peace while the Soviet Union seeks dominance, the conclusion follows that any diminution of current American preponderance would reduce our diplomatic stature everywhere in the world.

In diplomacy between rivalrous powers, there is a constant interplay of thrust and counterthrust in the form of veiled or open threats, and sometimes actions, as when Khrushchev rashly installed medium-range missiles in Cuba. Khrushchev lost that round, but his was not a total loss: Kennedy agreed not to launch an attack against the island. Suppose, however, that the Soviet leaders had been convinced that in a nuclear exchange less devastation would be visited on the Soviet population than on the American, and that the Soviet losses would be at an "acceptable" level? In that case Khrushchev might have refused to back down.

Reasoning along these lines, the American strategists apprehend that any significant diminution in the current U.S. ICBM/ABM potential might give the Soviets more leverage in the Middle East, in Southeast Asia, and in other present or future areas of confrontation. Consider Indochina. Mr. Nixon has repeatedly threatened retaliation if North Vietnam and the Vietcong should raise the combat level in South Vietnam, Laos or Cambodia. He is holding in reserve such measures as renewed bombing of North Vietnam, the mining of Haiphong harbor, etc.,

Scheduled for Next Week

A historical assessment of General Charles de Gaulle, based on his *Memoirs*, recently published in Paris. By Daniel Singer, author of *Prelude to Revolution: France in May 1968* (see review by Carl Oglesby, *The Nation*, September 14).

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all of which would be less plausible if the nuclear proportions were changed in Russia's favor. The U.S. negotiators are also aware that the manufacture of nuclear arms is a heavy burden on the Soviet economy, while a nuclear détente, by further reducing employment, would have the opposite effect in the United States. And if it should become clear that no agreement can be reached at Helsinki, the Pentagon will be in a better position to demand the formerly normal annual increase in its budget.

In addition to these incentives for intransigence on the American side, there are the usual inveterate troublemakers, such as Frank J. Shakespeare, director of the U.S. Information Agency, who takes no direction from Secretary Rogers or anyone but the President. According to Chalmers M. Roberts, in *The Washington Post,* Shakespeare has proposed to Mr. Nixon that he consider not only breaking off the strategic arms talks but even severing all diplomatic relations with the Soviets.

These are some of the factors that operate behind the façade of good will at Helsinki. None by itself precludes success, but taken together they are a formidable set of obstacles.

Backlash on 'Law and Order'

Harping on "law and order" does not necessarily win elections, nor does Agnew-type smear-brushing. That seems to be the message from Oregon. Several prominent state legislators who hammered on that issue were defeated by persons who concentrated on unemployment, high taxes, pollution and other problems.

In Portland, Howard Willits, a four-term state Representative, and one of the most consistent participants in the Oregon peace movement, was screechingly accused in billboards and mailings of being a "street demonstrator." Despite an underfinanced campaign, Willits was re-elected by a close vote. Another liberal legislator from Portland, Harvey Akeson, was charged in a 4-page tabloid sent to every Democratic voter in the district with being sympathetic to arson, mugging and sex flicks. Voters were urged to cast their ballots for "the candidate supporting law and order." Akeson won.

State Treasurer Robert Straub, who poses as a liberal, tried the "law and order" theme in his campaign against incumbent Gov. Tom McCall. When the American Legion convention was held in Portland in late August and early September, McCall turned a state park over to Vortex I, a rock festival. It was a clever and convenient scheme for drawing young people away from a confrontation with the Legion—though as anybody who knows the composition of the "youth movement" could have forecast, and many did, the kind of young people who journeyed to Vortex I for rock, food and pot (at least the first two were free) don't get involved in political confrontations.

Vortex I went off rather quietly, with few arrests and the state police very cooperative, but Straub lashed at McCall for indulging permissiveness and not cracking down on the marijuaners and nuders. McCall defended his action, and when the votes were in he was far ahead.

Most fascinating of all was the race for Portland city commissioner between the incumbent, Francis Ivancie, an Agnew type, and Tom Walsh, an ex-football star. Ivancie's entire campaign was based upon "law and order." He struck at hippies, marijuana, dirty books, radicals, moral pollution, sex education, the whole bit.

Whereupon, the Portland Police Department, through its union, endorsed Walsh and blistered Ivancie. There were several reasons why the cops turned against an incumbent who made a fetish of praising cops. In the first place, he had shown no interest in police problems or in the efforts of the department to upgrade itself. Equally important, he had involved the police in a head-busting

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night at Portland State University (see "A Convenient Clubbing," *Nation* editorial, October 19), and the cops were angry at being ordered into an action which three police captains on the scene had protested. "We didn't win any friends among the young people that day," a policeman said. "It was a bad scene. Ivancie got us into it and then he copped out."

Finally, Ivancie's callous actions in dealing with the anti-Legion forces prior to the convention deeply disturbed the police, who saw his course as leading to a bloodletting, of which the vast majority wanted no part. Ivancie outspent Walsh by at least 3 to 1, but barely pulled through to victory. Had he been the incumbent, Walsh would have won handily.

If there is a moral to the above, it is that "law and order" isn't a sure-fire campaign slogan. Even some cops worry about the connotations behind it.

Guerrilla War in Cairo

In the last twenty months Cairo, Ill., has had five police chiefs, two mayors and two fire chiefs, but during that time, and indeed for much longer, this decaying and hate-ridden city at the confluence of the Missouri and Ohio Rivers has had only one radio station. It is WKRO, whose president is Merrill C. Currier, a director of the Cairo United Citizens for Community Action, an affiliate of the White Citizens Councils.

Cairo has been in a state of guerrilla war for two years (see "Ghost Town Vigilantes: The Racial Pallor of Cairo" by G. Louis Heath, *The Nation*, December 22, 1969). At night, rifles and other small arms are fired into Pyramid Court, Cairo's all-black housing project; at night, too, devastating fires break out in the town. On November 7, the Cairo Lumber Co., whose owner is president of the United Citizens, was engulfed by flames that did damage estimated at $100,000. Station WKRO systematically blames such acts of arson on the Black United Front, an umbrella grouping of Negro organizations in the town (the population of Cairo is a third to 40 per cent black). The Front repudiates violence and denies any part in the attacks on white property, but its spokesmen are not allowed to speak over WKRO. In fact, the station carries no news of the black community: when recently a group of Negro doctors flew into Cairo to treat blacks who could not receive care locally, it was national news but was not mentioned on WKRO. The station employs one Negro in a staff of twenty-two—he is the janitor.

The United Front, convinced that peace will never come to Cairo while the media hold fast to bigotry (the local paper is also racist), has taken the offensive against WKRO. Assisted by the Office of Communication of the United Church of Christ, it has filed a petition with the Federal Communications Commission to revoke the station's license on the grounds that it incites the community to racial violence, and that it does not offer news and entertainment relevant to the interest of the black community. The owners of WKRO have undoubtedly long forgotten that they have been granted access to a publicly owned resource—their wave length—and that they are under an obligation to operate it responsibly. The Front's petition will bring them to Washington, there to defend their stewardship; on the basis of the affidavits compiled by the petitioners, they deserve to be cut off the air.

The United Church of Christ has assisted in the filing of a similar petition in Jackson, Miss. To marches, boycotts, sit-downs and voter registration they have added another weapon in the still undecided battle for racial justice.

Still Wild

It is comforting to know that pockets of wildness still remain in the West, and that the most humorless President of this century (with the possible exception of Calvin Coolidge) does not entirely dominate American politics.

In Kansas, once famous for its cattle towns and six-gun politics, a character in Western garb ran for sheriff on a program of "free everything for everybody." He failed to make it, but another individualist, who ran quietly and successfully for justice of the peace, promises to solemnize homosexual and group marriages. He should add some hilarity to the national scene before he is removed from office.

Hunter Thompson, a frequent *Nation* contributor, whose article on Hell's Angels (May 17, 1965) led to a contract for a book which became a best-seller, ran a rousing campaign for sheriff in Aspen, Colo. He failed of election but succeeded in focusing local and national attention on some real problems.

Calling himself a "foul-mouthed outlaw journalist," Hunter argued that government in Aspen was not responsive and that outsiders were raping the beautiful local environment. He promised to "savagely harass" the land ravagers and, among other expedients, to "sod the streets." His strategy was to mobilize "freak power," since he was convinced that his chances depended on the number of "freakheads, criminals, anarchists, beatniks, poachers, Wobblies, bikers and Persons of Weird Persuasion who will come out of their holes and vote for me."

His followers put on an intensive registration drive. They were described by a writer for *National Observer* as "the cleanest, most courteous bunch of young people I have encountered in many a day. . . . Mr. Thompson estimates that perhaps 100 of them are junkies, on hard drugs, that is. All the others, so they tell me, smoke marijuana regularly. They are mostly from the Midwest and West Coast, and college-educated. They lack the look of despair that one finds in hippie communities in big cities. All in all, they are high-class freaks, and many of them are working hard in the campaign—doing what everybody says they should do: strive for change within the system."

It is a pity that Hunter was beaten—he would have been the most interesting sheriff of the seventies, which have not started auspiciously. He did succeed in getting the "spiritually disenfranchised" concerned. "We ran an honest campaign," he says, "and that was the trouble." He purports to be finished with "the politics of the vote. . . . If we can't win in Aspen, we can't win anywhere." He owes it to Aspen, and to the country at large, to try again. Nixon did it; will Thompson prove less mettlesome?

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Robert S. Lynd

Robert S. Lynd, who took a divinity degree at Union Theological Seminary in 1923 before receiving his doctorate at Columbia in 1931, did as much, perhaps, as any American sociologist to free the profession from a certain early ministerial and Protestant social-work emphasis. *Middletown*, *Middletown in Transition*, and *Knowledge for What?* were promptly recognized as American social science classics and classics they remain. But it might be argued that his influence as a teacher—and his remarkable continuing personal influence on many former students and associates—was even greater than his published works.

The staff of *The Nation* was indebted to him for advice and counsel on more than one occasion. From time to time we reread his prophetic article, "Our 'Racket' Society" (*The Nation*, August 25, 1951). Few articles that we have published in the post-World War II period have stood the test of time as well as this extraordinary statement. "I believe," he wrote, "that our tendency to view our institutions and their problems as separate things to be worked at piecemeal has blinded us to the need, now become acute, to view American society as an interacting whole and to ask: What kind of society do we want to be *as a whole society*? What real options to attain that end do we have? And what changes are necessary to realize the choices we elect?" The need to address ourselves to these questions is even more acute today than it was when he raised them.

THE CULTURE OF KENT

A TOWN TURNS ON ITS CHILDREN

RICHARD T. COOPER
Mr. Cooper is Midwest bureau chief of the Los Angeles Times.

> "Those two, surrounded by the impenetrable wall of their aspirations, were hopelessly alone. . . ."
> —*Conrad*
> *An Outcast of the Islands*

The lethal violence of last May and the events that followed upon it lie like an untimely frost on the surviving 21,000 students of Kent State University and on the 72,000 other citizens of Portage County among whom they live. Portage County, 40 miles south of Cleveland and 15 miles east of Akron, is a hilly, once lovely area of tree-lined old towns, new plastic shopping centers, and small factories. The people, skilled wage earners for the most part, come close to being what Scammon and Wattenberg call "the real majority," and their children are Kent State's student body. Many of the students are the first in their families to attend college; most believe with their parents that the degrees and skills dispensed by the university will guarantee better jobs and greater choice in life than was given the previous generation. The students, like their parents, are industrious, but no longer quite comfortable with themselves or with society.

Thus Kent State exposes the nature of the conflict between college students and the adult population, a conflict that is essentially a feud within the national family. In almost every way, Kent State is different from the more illustrious schools that have been shaken by violence. For the most part, its students are technicians, not intellectuals. They are not as radical, as alienated, or as intransigent as students at Columbia or Berkeley—and that is why events here are so important: they demonstrate the breadth and depth of the problem and expose the error of believing only a tiny minority of young Americans is involved.

Kent State students and many people elsewhere regard the special state grand jury that published its singular report last month as a political tool manipulated by Ohio's hard-pressed Republicans, but the jury's work is more significant than that. The unusually blunt language of the 18-page report was written by the jurors themselves, not by the prosecution, as is usually the case with grand jury findings. The final document reflects the resentment and fear that have accumulated in the people of Portage County without regard to party.

Which is not to deny that the grand jury investigation, which tilled ground already plowed by federal investigators, had obvious political overtones. One of the special prosecutors, Seabury Ford, is the GOP county chairman and a lawyer so unbridled in his public remarks that he has been held in contempt of court for violating the ban on prejudicial pretrial publicity. Among Ford's quoted remarks were assertions of Communist involvement in the disorders during which four students were killed by National Guardsmen. He also warned reporters that he keeps a pistol at hand to shoot students if they attack him, and suggested that Guardsmen might have done well to shoot more students on May 4. Ford praises Vice President Agnew, whom he met last year at a political rally in the governor's mansion at Columbus, as "a real American," adding, "Too few people today are willing to be counted. They're afraid, but of what I don't know."

The other two lawyers who appeared before the grand jury are Robert Balyeat, a political ally of Ohio Atty. Gen. Paul Brown; and Perry Dickinson, a former FBI agent and Democrat who concedes he may have been appointed to give the proceedings a bipartisan flavor. Dickinson is a humane lawyer who now specializes in criminal defense work; he says he is somewhat more liberal and tolerant than most citizens in the area.

Obvious as these political aspects are, the jury's role was dominant. Customarily, grand jury reports are ratified by the panel with only minor changes. Not so with the Kent State report. "The staff would take a draft over to the jury and they would tear it to pieces," said a source directly involved. The jurors devoted an astonishing eight

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of their twenty-five sessions to writing the report. The details make clear both the jurors' sense of priorities and the nature of their quarrel with students; it is far more a cultural statement than a political one.

The grand jury refused to indict or even directly to criticize the Guardsmen who fired into the crowd of students. "We do not condone all the activities of the National Guard," the report said, but the soldiers "fired their weapons in the honest and sincere belief and under circumstances which would have logically caused them to believe they would suffer serious bodily injury had they not done so. They are not, therefore, subject to criminal prosecution under the laws of this state for any death or injury resulting therefrom."

Most witnesses to the shooting agree that only a small number of demonstrators actively confronted the Guardsmen, while sizable crowds stood nearby watching and sometimes shouting. The jury, however, described the situation as "74 men surrounded by several hundred hostile rioters . . . forced to retreat . . . under a constant barrage of rocks and other flying objects, accompanied by a constant flow of obscenities and chants such as *Kill, Kill, Kill.*"

The obscenities seem to have particularly disturbed the jurors. "The epithets directed at the Guardsmen and members of their families by male and female rioters alike would have been unbelievable had they not been confirmed by the testimony from every quarter. It is hard to accept the fact that the language of the gutter has become the common vernacular of many persons posing as students in search of a higher education."

In a comparatively brief passage, the jury said National Guard officers had put the soldiers in "an untenable and dangerous position." It also remarked that the M-1 rifle and similar weapons issued to Guardsmen "are not appropriate in quelling campus disorders," but rejected the suggestion that live ammunition ought not to be issued in such situations. The jurors gave no attention to questions of command responsibility, the possibility that a breakdown of discipline occurred, or to the fact that Guard officials first claimed that their men had only returned sniper fire. The jury quite clearly regarded such matters as tangential; the reasoning among many Portage County residents is that if the students had been acting properly, the Guard would not have been called out and its policies on shooting into crowds would never have come up. Said a knowledgeable county leader: "The jury probably went a little bit out of its way to make sure those kids [Guardsmen] who were dragged out of bed to defend Kent were not criticized too much."

The jury indicted twenty-five persons, including a professor and several nonstudents, on various charges of rioting, arson and interfering with firemen when the ROTC building was burned that weekend. The strongest condemnation was reserved, however, for a group of individuals conspicuous by their absence during the May events: the university's administrators. "The administration at Kent State University has fostered an attitude of laxity, over-indulgence, and permissiveness with its students and faculty to the extent that it can no longer regulate the activities of either and is particularly vulnerable to any pressure applied from radical elements within the student body or faculty." The implicit paternalism toward students was not surprising, but some of Kent State's faculty may have been startled to find themselves viewed as naughty children.

Specifically, the administration was criticized for letting students participate in disciplinary procedures; the jury noted tartly that malefactors so judged were rarely dismissed from school, but were instead recommended for "counseling or some other meaningless sanction." Also, the jury charged, the administration has been guilty of "over-emphasis" on "the right of dissent." Examples of this overemphasis cited by the jury were campus appearances by the Jefferson Airplane and Yippie leader Jerry Rubin, as well as the administration's tolerance of SDS, YSA and Student Religious Liberals. Another example: faculty members who "teach nothing but the negative side of our institutions of government and refuse to acknowledge that any positive good has resulted from the growth of our nation. They devote their entire class periods to urging their students to openly oppose our institutions of government, even to the point where one student who dared to defend the American flag was ridiculed by his professor before his classmates.

"What disturbs us is that any such group of intellectual and social misfits should be afforded the opportunity to disrupt the affairs of a major university to the detriment of the vast majority of the students enrolled there."

Of the jurors who wrote the report, only four were from the city of Kent. The rest came from towns and villages scattered over the county. Among them were a housewife, a hospital lab technician, several factory workers, the owner of an insurance agency and a farmer. In the view of one of the prosecutors, "The jury seemed to be a fairly representative cross-section of what you would find here or maybe in any other county." With notable consistency, townspeople reacting to the report said it expressed what people in the community had been thinking.

Conservative businessmen, liberal union leaders, workers in the area's myriad machine shops, housewives and local newsmen are in remarkable agreement about how the situation developed and what are its present elements. Roger F. DiPaolo, a former Kent State student and longtime lawyer in the area, who is now Democratic county chairman, put it this way: "The depression and our parents had made a deep impression on us. It definitely makes us a different breed. We came back from the war with very little time for carrying fraternity paddles around or for freshmen high jinks."

The growth of Kent State, in the minds of DiPaolo and others, parallels the growth of their own private success and the growth of American society. There were town-gown frictions, but also a strong sense of identification and pride in the school. "It's a beautiful school," says prosecutor Dickinson, who also attended Kent State after being wounded as a Marine on Okinawa. "Most of us around here went to college there, know people in the administration. It isn't that the community has an enemy in its midst; it isn't that at all."

Yet the relationship between university and community

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in Kent, and probably in many other places, began to go sour about a decade ago, because what is perceived as a change in the nature of students. "We were overindulgent," DiPaolo believes. "We wanted them to have everything we didn't have. We thought it would help them, and in fact I think it's hurt them." He feels that youthful idealism, of which he approves, has combined with the increased tempo of life to make students feel guilty about world problems and impatient about solutions.

"They put down everything this generation has done, and God knows we've done a lot—Social Security, workmen's compensation, unemployment insurance, aid to the elderly, Medicare." And "the acts of a tiny majority have frightened my generation, and I mean frightened," DiPaolo says. Public obscenity, desecration of the American flag, flying the Vietcong flag, "Where in the name of God is this lawful dissent? Why do we have to be subjected to this kind of thing? Jerry Rubin said right on campus 'Get a gun and shoot your parents.' I can't tell you what that did to the man on the street."

Said a Kent business executive: "I think we're coming to a time when we've got to get down off this soapbox where we're saying everyone has a right to speak." Said another, "A lot of people here feel the administration has been too patient in letting radicals use our university."

Perhaps more than their politics, Portage County citizens object to the students' style of life—their beards and long hair, drugs, freakish clothes and frightening mannerisms. There is little evidence that students molest townspeople, but many Kent residents say they are now afraid to use downtown streets lined with student bars and shops.

"This town used to be beautiful in the fall," DiPaolo recalled recently. "Now Main Street on Friday night is the most awful looking street in America. Nobody goes downtown on Friday night if he's not a student. I've got a 14-year-old son and a 15-year-old daughter. I can't let them go downtown on a Friday night, not even to a movie.

"Make no mistake about it," DiPaolo insists, "these people don't hate kids, but in the last five years they've been put in a state of paranoia by a violent, radical few and by the majority who should have reacted a little differently. I believe students ought to be very careful with the shock tactics they've been using, because if you shock, you shouldn't complain about the reaction."

Surprisingly, perhaps, activist students at Kent State now agree with DiPaolo. According to the conventional wisdom, they should have been "radicalized" by their harsh experience; instead, almost all are turning back toward the System. Even the most radical are searching for new strategies, new ways of advancing their causes, that will not provoke more anger, fear, or repression.

It is not that Kent students have relapsed into apathy; the level of political consciousness is probably the highest ever. "Students have moved further left, but within the context of the system. The moderate-liberal kids are in charge everywhere," according to Jerry Lewis, an assistant professor of sociology who has close ties with students.

Timothy Butz, a recently returned Vietnam combat veteran who heads the Veterans Against the War group at Kent State, sums up the new attitude: "Until May 4, the Movement had not done its homework. It didn't know how to be effective against the war." Butz's group plans to send speakers to union meetings and other small groups, where the voices of veterans may carry special weight. "Small group meetings are not so glamorous as getting up before a huge crowd, but they do more good."

Student government, historically preoccupied with Homecoming and pompon girls, is now trying to channel its funds away from activities and into legal aid for students, birth control clinics and similar projects. Kent State's Yippies and the remnants of its SDS chapter have also joined the universal hymn to nonviolence. They are convinced that violence now would be counter-productive, would lead to long jail terms, and might jeopardize the university, which even the radicals regard as their last refuge. "We can't live the way we want to or get anything done if we're all scattered at home," a Yippie leader said.

Unfortunately, student leaders have found it easier to formulate their new position than to act on it. When the grand jury report was published, for example, activist leaders across the political spectrum united to devise some response that would be meaningful, yet not so provocative that most students would reject it. They resented the report and felt that students everywhere were looking to Kent State for symbolic leadership. For a full week leaders caucused, separated, came together again, and in the end, failed. One student suggested that all 21,000 gather on the Commons, join hands, and form a giant peace symbol; he was hooted down, but nothing much better came to mind.

For its part, the university administration has been commendably firm in defense of free speech and the right of dissent, but it seems sadly out of touch with student militants and probably underestimates the extent of dissatisfaction among students as a whole. There is apparently no private communication between administrators and militants, though opportunities for quiet accommodation abound and would be welcomed by many militants. Characteristically, Kent State President Robert I. White harshly attacked the Yippies for holding a nonviolent rally the day the grand jury report came out, though no effort had been made to prevent the gathering. The Yippies, who privately confessed that they had become frightened waiting for the report, held the rally to assert their courage and dispel their fear in a classic use of theatre. The rally was noisy but peaceful, and its leaders thought they had cleared it with officials. White's subsequent attack stunned them, though it gained him points with townspeople.

The trials of the indicted twenty-five will begin almost at once. Students are collecting money for their defense and peace is expected to continue into the immediate future. Yet the essential problem remains. Students are swallowing the resentment they feel over May 4 itself, and over the callous reaction of their elders. They are also beginning to accumulate frustration at a disturbing rate. The townspeople, meanwhile, surrounded by their walls of aspiration, nurse their own resentments and cultivate quite different expectations. □

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THE COPS HIT THE JACKPOT

JOSEPH C. GOULDEN
Mr. Goulden, a Washington journalist, has written books on AT&T and on the Gulf of Tonkin incident. His latest book, The Money Givers, *a study of foundations, will be published by Random House in early 1971. This article was prepared under a grant from the Fund for Investigative Journalism.*

Its original good intentions notwithstanding, the federal government has taken the first dangerous steps toward transforming the United States into a society whose police agencies have a repressive capacity unparalleled in history.

The responsible organization, by default as much as by design, is the Law Enforcement Assistance Administration (LEAA), a little-known but fast-growing division of the Justice Department, created by the Omnibus Crime Control and Safe Streets Act* of 1968. LEAA's purpose, when conceived by Atty. Gen. Ramsey Clark, was to improve America's chaotic criminal justice system at all levels—arrest, trial, incarceration and release. The Safe Streets Act, Clark told a Senate committee, "is the one appropriate way the federal government can make a major difference. It is based on the demonstrated need for more resources, better applied, to improve the estate of criminal justice in America."

In fact, however, the LEAA has become a pork barrel whose chief beneficiaries are the uniformed police. A vast amount of money is involved. LEAA's annual budget has soared in three years from $63 million to $480 million and the Senate recently authorized $1.15 billion and $1.75 billion for fiscal 1972 and 1973; House authorizations are $1 billion and $1.5 billion respectively. Whatever the final appropriation, therefore, LEAA is to be a $1 billion agency next year. Judging by procedures thus far, the bulk of it will flow directly to the police. In 1969, 59.3 cents of every LEAA action-grant dollar went for police functions; in 1970, 51 cents. Courts, corrections, juvenile delinquency, received minute dabs of cash.

LEAA disburses most of its funds in the form of block grants to the states, which spend the money as they wish, within wondrously broad guidelines. And the ways they are spending federal dollars—with federal blessing—raise serious questions about the future of criminal justice in the United States.

¶In the name of "law and order," LEAA is providing local police with sophisticated "crime prevention" hardware and with techniques developed by many of the same specialists who put men on the moon. The purpose is to curb robberies, burglaries and violent street crimes. The result, however, enables police to keep citizens—the innocent and the guilty alike—under electronic and photographic surveillance while they are shopping, walking public streets, driving automobiles, and visiting both private and public buildings.

Using infrared cameras and zoom lenses, combined with video-tape recorders (the "instant replay" gadget of pro football), police can make instant photographic records of citizens' activities, even in total darkness. Clarence M. Coster, associate administrator of LEAA, looks forward to the day when police will make sound and photographic recordings of "mass protests" and rock festivals, as evidence for future prosecutions. The sensor devices developed to detect guerrilla movements in Indochina are being adapted for domestic law enforcement. LEAA is even giving the cops an air arm: grants support helicopter patrols in Los Angeles, Washington, Atlanta and elsewhere, and short-takeoff-and-landing (STOL) aircraft are being tried out in Dade County, Fla.

¶In the name of "civil tranquillity," Washington is banding state and local police into compacts to cope not only with violent disorders but also with peaceful protests against defects in American education, foreign policy and racial equality. With federal dollars, the police are constructing massive computerized "intelligence systems" intended to predict unrest—through inputs of information on where citizens travel, what they say, with whom they meet.

* For convenience, the title will hereafter be abbreviated to the Safe Streets Act.

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The police are being armed to the teeth. For $16,464, LEAA bought the tank that Louisiana police used on September 15 to storm a Black Panther headquarters in New Orleans; the same tank had been used earlier against demonstrating black college students. Pick a state at random. Colorado: 165 riot helmets, 126 gas masks, 118 riot batons, seventy-six cases of Mace, 500 pairs of plastic handcuffs (cheaper than the metal variety, thus useful in mass arrests), thirteen shotguns, three pepper fog machines, with both smoke and gas mixes, four grenade launchers, ninety-four smoke and gas grenades, projectiles, launching cartridges and flares; thirty-three "riot shields," twenty pairs of riot coveralls and gloves. Asking for even more such stuff in 1970, Colorado complained that police lacked equipment in "counties and towns which have college, migrant or minority populations. . . ."

¶In the name of "law enforcement professionalization," LEAA is pouring millions of dollars into the hands of such blatantly racist police groups as the Mississippi Highway Patrol and the South Carolina State Law Enforcement Division (SLED)—agencies with blood on their hands from past confrontations with civil rights protesters and other "agitators." Washington's dollars go to such groups without the slightest attempt at racial integration.

¶LEAA is strengthening the police politically as well as physically, for "professionalism" gives the cops an aura of infallibility when they deal with lay politicians. Traditionally isolationist and elitist, the cop is using his new wealth to withdraw even further from the restraints of elective government.

¶In the name of President Nixon's "new federalism," Washington is yielding control of millions of federal tax dollars to police-dominated "state planning agencies." LEAA claims its *laissez-faire* attitude toward state activities is mandated in the Safe Streets Act. But Charles H. Rogovin, LEAA administrator from February 1969 until he quit in disgust in April 1970, disagrees. "LEAA shouldn't dictate, but it sure as hell must provide leadership, and LEAA hasn't done this."

¶Political influence, not actual need, frequently determines which agencies receive funds. Wesley Pomeroy, former LEAA associate administrator, now a private police consultant, reports: "In talks with [police] chiefs around the country, I detect a positive fear that if your Senator or Congressman makes trouble for Nixon on the war your chances of getting LEAA money are hurt." William Johnson, director of public safety in Gary, Ind., told me: "Several times we've submitted proposals [to the Indiana State Criminal Justice Planning Agency] that were identical to ones from South Bend. The agency, which is dominated by downstate Republicans, will approve South Bend, but table us." South Bend is Republican; Gary is Democratic (and run by a black mayor, Richard Hatcher).

¶Congress made Safe Streets a state-oriented program to avoid creating a vast new federal bureaucracy, but the result has been to create cumbersome, ill-directed state bureaucracies, more than half of which changed chief executive officers during their first eighteen months. A substructure of regional fiefdoms inside the states, many with paid staffs, further dilutes LEAA planning funds. For example, a California city that develops a program must get it past five review hurdles before it comes up for final approval or disapproval by the California Council on Criminal Justice. These administrative layers absorbed $21 million of LEAA's total budget of $268 million in fiscal 1970.

¶"Congress passed a 'Safe Streets' program. The states turned it into a 'Safe Pastures' program." This bitter comment comes from a middle-level LEAA official, a holdover from the Ramsey Clark days, who is now seeking work elsewhere. A blatant example of the LEAA pork barrel in action is to be found in Michigan. Grand Rapids, with a population of 200,000 and a police budget of $2.9 million, had through mid-1970 received one LEAA grant: $188 for a 75 per cent share of two Polaroid cameras and a fingerprint kit. Another Michigan town, of 7,500 population, got during the same period $1,650 for an infrared scanning device, $1,275 for a surveillance camera, and $2,400 for basic radio equipment. A National League of Cities survey of mayors found similar discrepancies in a number of other states.

Federal Funds and Local Justice

Peculiarly, these things are happening in an atmosphere of almost total silence. The big-city mayors and the municipal lobbyists—specifically, the U.S. Conference of Mayors, the National League of Cities and the Urban Coalition—complain about *who* is handling the money (governors, rather than mayors), but offer relatively little criticism about *how* it is being spent. The Urban Coalition has called for more nonpolice spending; however, the thrust of its reports on "Law and Disorder," its evaluations of LEAA, has been that Washington should deal with cities, not with states. But some of the more questionable schemes financed thus far were city proposals, and there is no evidence that mayors would put the LEAA money to wiser use than do the states. Says a high LEAA official: "The mayors are so worried about budgets that they'd use Safe Streets money for hardware, and nothing else. Their bind is such they can't bother with long-term pilot projects."

The Nixon Administration has staked its law-and-order reputation on the success of LEAA. Atty. Gen. John Mitchell told a House subcommittee on March 12: "I can think of no Administration program which is of a higher priority than the LEAA, because no problem is of a higher priority than the ever increasing crime in our nation." Yet the LEAA administrator's post has been vacant since Rogovin resigned, and persons inside the agency say Mitchell has never "sat down for the hard qualitative look at programs that is needed to straighten us out." LEAA is also a test of whether the Nixon Administration can make good on its promise to reverse the flow of three decades of history in Washington's relations with other levels of government. As the Federal Advisory Commission on Intergovernmental Relations states in a June 18 report:

> The success or failure of this experiment will probably have a strong influence on the course of future Federal grant-in-aid policy, particularly in connection

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with the issue of whether the States should be bypassed by the Federal government in its dealings with local jurisdictions or whether, as proponents of the "new federalism" argue, program responsibilities should be decentralized to the state level.

The LEAA experiment is vital for yet another reason: it could be the last chance for local law enforcement in the United States. Rogovin in 1969 told a convention of the International Association of Chiefs of Police, the leading police professional group: "The American people are concerned—aroused—about crime. They are afraid. If you do not mobilize yourselves to earn [their] support, it will fade. What will happen then? The American people will not tolerate failure. *If local law enforcement fails, then something else will replace it.*"

Paradoxically, LEAA exists in its present form because Congress feared it would in fact open the way for a national police force. However, in attempting to make LEAA "safe," Congress created an administrative monstrosity that was doomed to chaos—perhaps even failure.

LEAA began in 1965 with a rather low-keyed attempt by President Johnson to give the federal government an enlarged role in crime fighting. At his urging, Congress created an Office of Law Enforcement Assistance (OLEA) in the Department of Justice to give grants-in-aid to cities as well as states, and to finance research in criminal justice. Congress gave OLEA less than half of the $42 million it requested in three years, but the fledgling agency did finance 330 projects aimed at helping local governments improve their overall criminal justice systems. The attorney general controlled the program.

Meanwhile, two Presidential commissions reached sobering conclusions on law and order. The President's Commission on Law Enforcement and Criminal Justice found that police were ill-trained and ill-equipped; about half had less than 12.4 years of education. The system was also fragmented, with no one official or agency responsible for coordinating courts, police and prisons. Cooperation between police departments was (and is) almost nonexistent, save for routine operational necessities. The National Advisory Commission on Civil Disorders (the Kerner commission) also criticized police, citing "hostility between police and ghetto communities as a primary cause of the disorders surveyed by the commission."

Further, cities suffering most of the crime had reached their financial limits. State, city and county governments together spend about $6 billion annually on criminal justice; a quarter of this figure is spent by the twelve largest cities, which have 12.5 per cent of the U.S. population, but 26 per cent of the reported serious crimes and more than half the reported robberies. The crime rate in cities larger than 250,000 is double the national rate.

To Attorney General Clark and other Johnson administration officials involved in writing the Safe Streets Act the answer was to be greater federal expenditures—not for operations but to "strengthen the system and to encourage the kind of innovations needed to respond to the problems of crime in America," as the President told Congress in a special message on February 6, 1967.

The proposed expanded program would have continued the attorney general's authority to make grants, much as he had done under OLEA. These would have

gone directly both to states and to local governments, the latter receiving them either individually or in combined units with a population of 50,000 or more. The population limit was imposed to reduce the number of direct federal-local contacts; to encourage consolidation of criminal justice functions, a key recommendation of the President's crime commission, and to concentrate spending on high crime areas. OLEA would have been expanded into LEAA as a part of the Justice Department on a par with the antitrust, civil rights and other divisions, and headed by an administrator of rank equivalent to assistant attorney general. Grant recipients would be required to increase anti-crime spending by 5 per cent annually, and to submit annual comprehensive plans to the attorney general, showing how their spending fit a master scheme for systems improvement.

Mauling the Program

Congress went to work on the bill with a mixture of wisdom, mischief and barely disguised malice for its primary spokesman, Ramsey Clark. There were three issues: the grant mechanism, the leadership of LEAA, and the respective roles of cities, states and the federal government.

"What Congress feared most about this bill was Ramsey Clark," states a man intimately involved in the legislation. "Ramsey had a soft-on-crime reputation, and the police and 'law-and-order' Congressmen didn't want him to control this program. What it comes down to, I

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suppose, is that McClellan and Hruska just didn't like Ramsey."

That statement is an exaggeration, although it does much to explain why LEAA was so mauled by Congress. It is true that the Senators mentioned—John McClellan (D., Ark.) and Roman Hruska (R., Neb.)—had an abiding distaste for Clark. Equally intense, however, was their determination that LEAA not be empowered "to lord it over the states with all those administrative guidelines" as does the detested (by conservatives) Department of Health, Education and Welfare. Governors have been telling one another for years that they can run programs better than can the federal government, and a few people—for the most part, those who haven't looked too closely—actually believe them. Added to these feelings was a general agreement that the federal government shouldn't be allowed to get too close to local police policy and operations.

McClellan's inclination was to spend Safe Streets funds in the form of block grants to the states, which would in turn pass the money down to local governments, rather than let Washington dole out cash directly to cities. "My thinking," McClellan said, "is that we would get better results if we had a statewide plan, rather than plans from the four or five or six counties or cities" in each state that could qualify for grants under the administration's population formula. "Unless there is coordination between them and liaison between them, these smaller entities, it seems to me, will not get the full benefit of this legislation." McClellan noted that courts and corrections generally are a state function, and that cities are powerless to deal with their problems.

Ramsey Clark responded that requiring state plans "would be much too burdensome [and] would result in very lengthy delays." Further, he said:

> When you look at state governments and . . . their involvement in local law enforcement, you will see that it is almost nil.
>
> New York State does not contribute to the $380 million annual budget for criminal justice of New York City. They don't give money and they don't have the potential. . . . The state doesn't have the experience, it doesn't have the people, it does not make the investment in law enforcement and police that local governments make.

But if Washington controlled the spending, asked Sen. Strom Thurmond (R., S.C.), "are you not going to develop here the same tensions and the same pressures and irritations that now are going on between HEW and the states?" Nor was Thurmond concerned only with major policy matters: "Suppose the federal government said to the police departments over the country, 'Now, I think the policemen will look handsomer, better and appear more disciplined if they all used blue uniforms and black shoes, and we are going to withhold funds unless you buy blue uniforms and black shoes?' " (Clark: "I think we would start looking for a new director about that time.")

Another conservative fear was that the federal government would use LEAA as a means to get blacks into segregated police agencies. States a person who worked on the legislation: "Law enforcement today is a white man's profession. McClellan, Hruska and Thurmond feared that if the federal government got into this field, it would give Washington a club over employment practices. Direct federal programs would soon result in federal requirements that law-enforcement agencies stop discriminating."

McClellan asked Clark during judiciary committee hearings whether LEAA would require grant recipients "to have a ratio of police personnel according to race corresponding to the racial population of the area covered by the plan. . . . Would you be able to say under this bill, 'You have got to have 50 per cent of your policemen colored, otherwise you get no money . . .?' " Clark replied: "We would be required by the law to see to it that funds expended under this Act were not used to further discrimination." The final version of the Act prohibits LEAA from conditioning a grant upon adoption of a "percentage ratio, quota system, or other program to achieve racial balance or to eliminate racial imbalance in any law enforcement agency." This language is the price the Johnson administration paid for passage of the Safe Streets Act—and it is why LEAA must deal with such racist bodies as the Mississippi Highway Patrol. (Mississippi's own 1970 grant application, submitted under the signature of Kenneth W. Fairly, executive director of the state's Division of Law Enforcement Assistance, recognizes that the highway patrol "represents in the Negro mind another repressive force of the white community," and that although it is "an all-white institution . . . it is acknowledged by most people concerned that no significant effort has been made to integrate the patrol.")

The state approach prevailed, thanks chiefly to the vigorous floor work of William T. Cahill, then a Representative, since 1969 the Governor of New Jersey. The Cahill amendments—supported by the McClellan/Hruska axis—produced a bill providing:

¶Planning grants for state-level law enforcement and criminal justice planning agencies (SPAs, in LEAA parlance). The governors create and direct the SPAs, which receive a flat $100,000 plus a per capita share of whatever planning funds are left in the LEAA budget. Amounts paid in fiscal 1970 ranged from $1.566 million for California to $121,000 for Alaska. The SPAs must be "representative" of state and local government functional agencies. They are responsible for preparing a "comprehensive and innovative" statewide plan for criminal justice; for developing and coordinating projects, establishing priorities, and making grants to "general units of local government or combinations thereof." The SPAs must pass 40 per cent of their planning funds along to local governments.

¶A requirement that, before receiving action funds, SPAs file with LEAA an annual comprehensive plan, describing the existing system, and what is proposed to improve it. The SPAs, in turn, receive local applications for action money, determine whether they are in accord with the state plan, and then disburse funds. At least 75 per cent of all action funds received from LEAA must be "passed through" to local governments.

¶That 85 per cent of LEAA's annual appropriation for action funds must be allocated to the states. LEAA may spend the remaining 15 per cent as it sees fit, in the form of discretionary grants.

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¶That state and/or local governments must put up matching funds in order to receive federal aid. The Act set the maximum federal share as 90 per cent for planning; 60 per cent for action grants; 75 per cent for organized crime, and for riots and civil disorders; and 100 per cent for research, education, training and demonstration grants.

¶A stipulation that LEAA officials may not exercise "any direction, supervision, or control over any police force or any other law enforcement agency" of any state or local government.

Senator McClellan wanted to remove LEAA from the Justice Department altogether. He failed, but did manage to put LEAA under *three* directors rather than one—an administrator and two associate administrators. No more than two members of the troika can be of the same party. The Act describes the three LEAA officials collectively as "the administration" and says it shall "exercise all of the functions, powers, and duties created and established" under the Act. The language is so vague that no one is sure what McClellan intended, and even troika advocates acknowledged the solution was not perfect. As Senators Dirksen, Scott, Hruska and Thurmond stated in reporting the bill to the floor:

> We don't want the Attorney General, the so-called "Mr. Big" of Federal law enforcement, to become the director of state and local law enforcement as well. . . . Organization and management experts may object to a dilution of executive authority, but we want no part of a national police force.

That is the basic framework of LEAA, a piece of experimental legislation, in that it departs sharply from the pattern of federal-state relations of the last three decades, and relies heavily upon the state governments as planners, administrators, coordinators and innovators. LEAA and its central and regional staffs must see that federal funds are properly and wisely spent, but without having recourse to the "conditions" upon which federal agencies can normally rely in grant programs.

The Safe Streets program is a chance for local and state governments to prove that they are capable of solving their own major problems. The next questions, then, are how well are these subordinate levels of government meeting their challenge, and what quality of direction is LEAA giving them?

The Lame Ducks Go To Work

President Johnson signed LEAA's authorizing legislation on June 19, 1968; by mid-October the new agency had its first-year appropriation of $63 million, and was sufficiently staffed to open its doors. The first administrator was Patrick V. Murphy, who had briefly headed the OLEA before becoming director of public safety for the District of Columbia. One of the associate administrators was Wesley A. Pomeroy, a veteran California lawman with sufficient breadth of talent to direct security for both the 1964 Republican National Convention (the one that nominated Barry Goldwater) and the Woodstock festival.

"As we saw the mission of LEAA," Pomeroy recalled recently, "it was to develop a broad understanding of the provisions of the legislation and the program so that our clients—the police, the courts, etc.—would know how to use it. This was a strong principle. We wanted them to tell us what they wanted. It was to be a client-run program, but with a strong coordinating voice at the top, at LEAA in Washington." Pomeroy recruited some two dozen chiefs and sheriffs—officers whose rank brought them immediate respect among colleagues, "without any credibility problem"—put them through a brisk crash course in Washington, and sent them on the road to sell the LEAA message to local officers. "One big problem in any new program is teaching people how to write a grant application," Pomeroy says. "If you do your homework at the beginning, and listen to the people who'll be using the program, you can save yourself a lot of problems and work in the future." The states, concurrently, began assembling staffs to write their comprehensive plans, the legal requisite for receipt of action funds.

Much of this gearing-up was done by lame ducks, for soon after his election Richard Nixon let it be known that he intended to choose his own LEAA administration. Murphy, Pomeroy and the other associate administrator, Dr. Ralph Siu—all interim appointees never approved by the Senate—decided to stay on as long as possible to keep things moving, on the assumption it would be unprofessional to abandon LEAA during the critical formative period. The states faced a May 1 deadline for the comprehensive plans, and "were having a devil of a time getting organized," in the words of an LEAA regional officer.

Soon after January 20, the lame ducks received their first, and only, directive from Attorney General Mitchell: henceforth, any discretionary grants awarded by LEAA must be approved by Deputy Atty. Gen. Richard G. Kleindienst, the Justice Department's chief political operative.

"Murphy, Ralph and I were very offended by this directive," Pomeroy says. "We talked about what to do. We could have made a big issue out of it, the politics and all that, but we decided it was important to the success of the program not to create an issue. The police would have seen LEAA as a political football and lost confidence in what we were doing."

The language of the Safe Streets Act suggests that Mitchell was on very thin ice in giving Kleindienst a veto over discretionary grants. Section 306 states that they shall be made "as the [LEAA] Administration determines." Further, Congress made clear that it intended the troika—and not the attorney general or his deputy—to run LEAA.

The holdovers received further shocks when Nixon appointees began moving into LEAA. "They didn't even have the courtesy to talk with us," Pomeroy says. "They looked at us with obvious distrust. They were unwilling to be 'contaminated' by us. It was a barbarous kind of thing to do, and not very smart, either. I wrote memos on what we had been doing, some of the problems LEAA faced, some very important issues that would have to be resolved. We had done enough work to get experience that was valuable to the new crew. Nothing—no consultation whatsoever. And the sad thing is that we could have helped them." Murphy and Siu left in February. Murphy went to Detroit as public safety director; this year he became New York police commissioner.

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Pomeroy, who says now he *was* a Republican (the emphasis is his) left in June.

To replace Murphy, Mr. Nixon picked Charles H. Rogovin, a nonpolitical registered Democrat who had been, in turn, a public defender and prosecutor in Philadelphia, assistant director of the President's crime commission, and a Massachusetts assistant attorney general specializing in organized crime.

The Administration's choice of associate administrators displayed political pragmatism. Richard W. Velde is the son of former Rep. Harold H. Velde (R., Ind.), remembered in Congress chiefly as chairman of the House Un-American Activities Committee in 1953-54. As counsel to Republicans on the McClellan subcommittee that worked on the LEAA legislation, Velde is philosophically dedicated to the block-grant concept. As an astute politician (and protégé of Senator Hruska) he also "knows how to talk to the Hill," in the words of an LEAA official. Says another: "Velde is an insurance policy for McClellan and Hruska. He's not going to let LEAA get into areas that would offend these two guys." Velde told me he sees his mission as "striking a balance" between the statutory state autonomy and "the need for Congress, LEAA managers and taxpayers to know whether the money is being spent in the most effective manner."

The other associate administrator, Clarence M. Coster, got his job because he had been police chief in Bloomington, Minn., which is in the home district of Rep. Clark MacGregor, second ranking Republican on the House Judiciary Subcommittee that oversees LEAA. Coster, as a former police chief, can talk tough with cops—and others—and get away with it. His standing orders to LEAA speech writers are "let it rip," and he regularly says unpleasant things. For instance, he recently chewed out a convention of burglar-alarm dealers for their absurdly high false-alarm rate—from 91 to 100 per cent for sixteen firms surveyed in Los Angeles alone—and told them to shape up if they were serious about their business.

Sen. Sam J. Ervin, second-ranking Democrat on the Senate Judiciary Committee, also has his man inside LEAA. He is general counsel Paul Woodard, formerly Ervin's legislative assistant and at one time assistant counsel to the subcommittee on criminal laws and procedures.

Rogovin had the top title, and the largest salary ($37,000; an associate administrator gets $35,000) and he thought, for a while at least, that his would be the authoritative voice inside LEAA. Before taking the post, Rogovin read the LEAA authorizing legislation, and spent several hours talking with Attorney General Mitchell. Nonetheless, he concedes now, he made a basic mistake—that of assuming Mitchell had given him the *authority* as well as the *responsibility* for running LEAA. But he never asked, directly, that Mitchell define his powers. "You are appointed to do a specific job," Rogovin said to me, "and assume you will be permitted to do it. Most of the conversation was about the ideas I had for LEAA, and what I thought we could and should do."

The Cops Move In

Daniel Skoler, director of LEAA's Office of Law Enforcement Planning (OLEP), which processes both block and discretionary grants, says that when the state governments got wind of the Safe Streets money they "responded . . . with the zeal of ballplayers just offered cold beer." And, unfortunately, with about as much coordination.

"What Congress envisioned was a process through which local requirements would filter up to the top and be put into one big mosaic by the state planning agency," says a former Congressional aide involved in writing the Safe Streets Act. "Congress had confidence in local government; it also felt the states would be strong enough to bring all these ideas together into a kind of meaningful plan."

In fact, however, most of the SPAs and the 450-odd regional planning groups created under their auspices are dominated by law-enforcement agencies. The International City Management Association, in a late 1969 survey, found that only 13 per cent of the members of the SPAs were local policy-making officials, and that only 15 per cent were classed as "citizens" representative of the general community. The rest were either state or law-enforcement functionaries. Mississippi's twenty-seven-member board includes only three persons who are not police or public officials: one of the law-enforcement members is Roy K. Moore, special agent in charge of the FBI office in Jackson. The boards of New Jersey (fourteen members) and North Carolina (twenty-six) are all criminal justice professionals; so are twenty-six out of twenty-nine members on Florida's board. An Urban Coalition survey of the twelve largest states found that 62 per cent of the 302 persons on SPA boards were criminal justice officials—only 5 per cent represented "citizen and community interests."

The result is that reform of the criminal justice system has become the responsibility of persons with institutional loyalties to the existing system. Few outside voices are present to suggest fundamental changes in the way things are done. Cop rule does not contribute to developing a meaningful "comprehensive" plan, but it does insure that

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rural counties and hamlets enjoy disproportionate access to the police pork barrel.

At the regional level, the law-enforcement weight is often even heavier. In Florida, each of the seven regional boards is composed of four police chiefs, four sheriffs, a fiscal officer and a hired planner. A Georgia official, responding to a National League of Cities/U.S. Conference of Mayors survey, said regional boards there are picked by "political philosophy rather than competence." North Carolina's regional boards have 383 members: 233 are law-enforcement officers; 130 are from local government; only twenty speak for the general public. Minorities are poorly represented, even outside the South. Until April 1970, Massachusetts' SPA was all white. LEAA used quiet diplomacy, its officials insist, to attempt to get at least one black on each Southern SPA. Mississippi flatly refused. The Lawyers Committee for Civil Rights Under Law asked the Justice Department to file suit. Justice declined, saying the LEAA statute was mute on minority representations. The committee is now suing Mississippi on its own.

Cities receive short shrift in many states. New York State's SPA has twenty-seven members, only nine of them from New York City (the police commissioner and Dist. Atty. Frank Hogan). Gary, largest city in Indiana, is not represented on the Indiana State Criminal Justice Planning Agency. The Republican state administration in Michigan lumped Democratic-run Detroit and Wayne County—with 40 per cent of Michigan's population, and half its crime—into a region with six other counties. Less populous Lansing (which is Republican) is in a two-county region. Cleveland is in a seven-county region in which two urban counties have five votes each; five rural counties, three votes each. Houston has two-thirds the population in the area covered by its regional board, and one-twelfth the votes.

Sharing the Wealth

The regional system also means that LEAA planning funds are distributed over many states in the form of a thin dew. Minimum allocations to each region, regardless of population or crime rate, can be defended as necessary for planning competence, but the National League of Cities suggests that regions are gerrymandered to put money into low-crime areas. For example, in its 1969 plan, Kentucky listed three major urban areas as accounting for 70 per cent of its major crime. Nonetheless, the state was split into sixteen regions, each of which received a basic planning grant of $5,000, and rural regions received twice as much money per capita as did Louisville. Similarly, Colorado earmarked $2,000 in base grants to each of fourteen regions, although half the state's population and 70 per cent of its major crimes are concentrated in Denver. Concludes the National League of Cities:

> As law enforcement systems are similar in many rural regions of individual states, it would appear that these rural regions could have been combined with no significant reduction in effectiveness of the basic planning effort, freeing a substantial amount of the funds to concentrate on planning for solution of crime problems in areas of greater need.

For local police, however, there is a most compelling reason for regionalism: money. Put federal Safe Streets planning money into every fork of every creek. Support Sheriff Jones's request for a new squad car, and he'll work for your video recorder. Use Washington's money to buy, for the tank town police, the very basic police equipment—patrol cars, side arms, uniforms, even office furnishings—that most cities routinely purchase with general tax revenues. States include such items in their "comprehensive" plans as "crime prevention and detection" equipment, and LEAA doesn't flinch.

Some examples: Colorado's "equipment acquisition" category for 1970 calls for forty-eight subgrants to cities, six of them for less than $100; twenty-nine for less than $1,000. The federally financed items range from twenty patrol cars and four snowmobiles down to "personal uniforms, office equipment and rescue equipment . . . too broad to quantify."

Mississippi's 1970 allocation was $2.117 million, of which $582,389 was earmarked for "purchase of basic equipment"—first-aid kits, service weapons, uniforms and furnishings, radios, fifteen automobiles, eighteen night sticks, six pairs of handcuffs, two station wagons for Parchman, the state prison. Equipment expenditures in other categories, chiefly riot control and training, push Mississippi's hardware bill past $1 million, more than half its Safe Streets money.

Georgia lists equipment grants for no less than 268 local police departments; its comprehensive plan, in effect, is a police shopping list: 569 mobile radio units, eighty-five automobiles, fifty fingerprint and ID kits, fifty-seven cameras, nine typewriters, sixty-four firearms of unspecified caliber, eight Mace units, eighteen pairs of handcuffs, forty-one fire extinguishers, eight evidence lockers, fourteen helmets. By 1975, Georgia states, it wants federal aid in buying a total of 1,300 police cars. It adds, with an apparently straight face, "Care has been taken to avoid indiscriminate distribution of equipment to departments that have little use for it."

Ohio's Law Enforcement Planning Agency offers tortuous arguments against concentrating spending in high-crime areas: "among other things, conceivably, [this] could drive crime from one area into another." Ohio also says "situation practicalities"—by which it means political pressures—require that Safe Streets funds go into small towns.

Daniel Skoler is the LEAA official who must see to it that state comprehensive plans make a semblance of sense. Skoler is finding that "comprehensive" is a word that lends itself to highly subjective interpretation. Under LEAA guidelines, a comprehensive plan must include projects in these areas: upgrading law-enforcement personnel; crime prevention (including public education); prevention and control of juvenile delinquency; improvement of detection and apprehension of criminals; improvement of prosecution and court activities, and law reform; increase in effectiveness of correction and rehabilitation (including probation and parole); reduction of organized crime; prevention and control of riots and civil disorders; improvement of community relations and research and development.

The official line at LEAA—one which Skoler will recite upon request—is that the 1969 comprehensive plans

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were pretty wretched, a shortcoming excused on the ground that the states had only about five months to produce them. In 1970, the plans were much better, although there is still need for improvement. In middle echelons, the comments are considerably more direct: Wilbur Brantley, a retired Los Angeles homicide detective who works in the LEAA regional office in San Francisco, says California's 1969 plan—more than 5,000 pages in twenty-five volumes, weighing 48 pounds—was "a pile of shit." The 1970 plan, while more concise, earns the same description. California's shortcoming, according to Brantley, is that the plans never get around to saying exactly what the state intends to accomplish, or where it will spend its Safe Streets money. "Hopelessly general," he told me.

So what can LEAA do in such situations? Not much, Skoler admits. He has been at LEAA since its founding. Some of his friends say he is not a happy man, and that in private conversations he admits LEAA is scattering its money to the winds. One of them quotes him as saying, "I'm tired of buying squad cars for country sheriffs." But not a hint of dissatisfaction seeps through when you sit down with Skoler. He is loyal to the policies prescribed by associate administrators Velde and Coster; not effusively so, perhaps, but you won't catch Dan Skoler in an indiscretion.

We talked of Georgia for awhile, since that was an example I had handy, and about the items of small equipment being purchased with Safe Streets money. What Skoler replied can be fairly summarized in two sentences: Situations must be judged by local realities. Small expenditures *can* bring small departments up to passable standards.

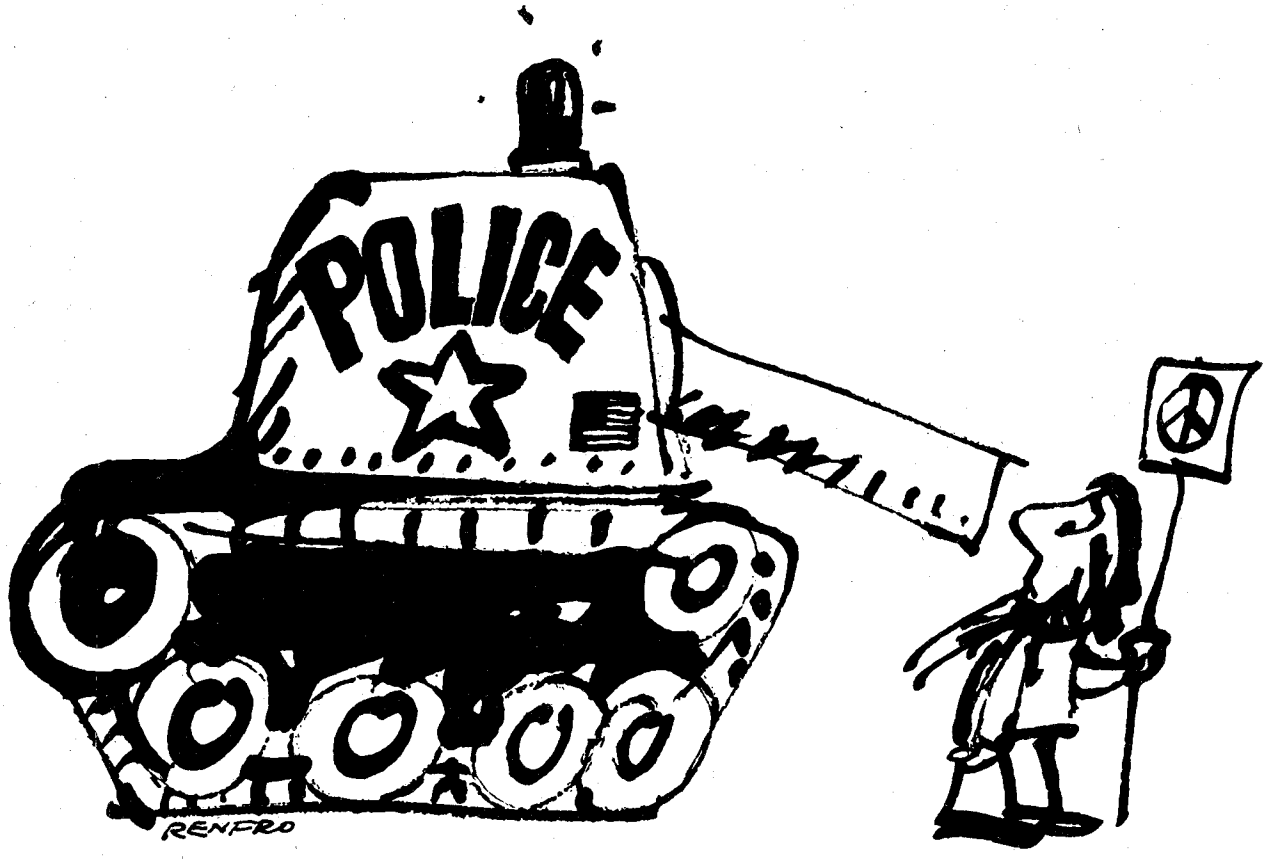
I asked Skoler if he didn't have something more significant in mind for LEAA, and he said he did, and we looked at each other for most of a minute, then changed the subject.

Feeding the Computers

"The year past was an excellent one for the vendors of electronic equipment," stated an LEAA internal document circulated in July. "Communications and information systems alone accounted for more than $20 million within the police programs area," one of the OLEP divisions.

As an LEAA official somewhat testily replies, $20 million is a mere tinkle of coins for the mammoth electronics industry. Nonetheless, it is $1 of every $9 of LEAA's total action-grant budget of $182.75 million for 1970. Further, according to one authoritative estimate, spending for electronic gear in other areas—computerized "intelligence systems" for civil disorders and organized crime, and command and control gear—push the overall electronic budget to nearly $50 million. Garlan Morse, president of the Sylvania Electric Products division of General Telephone and Electronics Corporation, predicted to *The New York Times* in April that law-enforcement agencies will be spending $500 million a year on electronic gear by 1975. Morse credits LEAA pilot projects with starting the boom.

That LEAA has no precise figures on how much of its money goes for electronics is a comment on how little LEAA actually knows of what the states are doing in the field. Yet the electronic projects that LEAA is financing pose direct and basic threats to the privacy, liberty and personal security of the American citizen. We are not talking about burglar alarms and car radios



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but of gear that a decade ago would have been dismissed as science fiction.

A recent LEAA document said the "explosive growth of computerized information systems" was one of the "most dynamic areas in law-enforcement and criminal justice" at all levels—police, corrections, courts, parole, probation and prosecution. More than thirty states, plus the District of Columbia, are developing statewide systems, a threefold increase since LEAA began funding such projects. Further, LEAA reports:

> Many small police departments and sheriffs' offices now have or will have immediate access to vital information through terminals on state networks. A rapidly growing number of cities and urban counties are developing computer systems for law enforcement. Regional systems comprising several units and levels of local government are emerging.

All of the state systems, LEAA says, "are designed to interface with the FBI's National Crime Information Center (NCIC) and several systems will be linked to those in adjoining states. . . . Almost all city and regional systems are interfaced with their respective state system where they exist. . . . In all states, the initial emphasis has been on police applications. . . ." The computers are linked physically by Bell System long-distance wires and microwave transmitters. TV-type display screens are replacing manual terminals for print-outs of transmitted data.

Police are finding a variety of information to put into these computers. One "organized crime" setup in New England is loaded with material on Mafia figures. Juveniles who get into trouble in the San Francisco Bay Area land in the computers (officials say they can "clear the innocent" more quickly when a youngster has a scrape away from his home community). A system based in Florida is intended to log suspected mob figures in and out of Caribbean islands known to be targets of organized crime. Bankruptcy data, business foreclosures, commercial frauds—these and more are going into the computer tapes.

In addition to financing local and state systems, LEAA is directing a project aimed at tying many—and potentially all—of the individual components into a national network. The project is known as SEARCH, an acronym for System for Electronic Analysis and Retrieval of Criminal Histories. The California Council on Criminal Justice (CCCJ) is coordinating SEARCH for LEAA.

Fifteen states are now involved as participants or observers, working with $1,429,460 provided by LEAA and $1,087,368 from state matching funds. Each state is converting 10,000 "criminal histories" into electronically accessible form. The subjects are felons with at least two arrests and one court disposition. The histories consist of "public record data" on criminal activities, basic biographical and physical data (including visible scars, marks, tattoos, amputations and deformities); "miscellaneous identifying numbers, social security numbers, operator's license numbers, skin tone, address, and occupation." Each state will maintain its own "bank" of subjects—thus persons involved in SEARCH argue that it is not a national data bank. Nevertheless, a central index, now being developed by the Michigan state police, will be directly available to each state and will contain summary data on each state-held file.

"Anyone who says there aren't privacy issues [in SEARCH] is a goddamned liar," says Charles Rogovin, who was still LEAA administrator when SEARCH began. According to Rogovin, the issue was raised at one of the first SEARCH meetings, at Notre Dame University in early 1969. The decision then was to make data accumulation a state activity, so as to avoid putting too much sensitive information into a central location. Rogovin has mixed feelings on SEARCH: as a professional law-enforcement man, he sees the need for fast, accurate information in an era when criminals can jet across the nation in four hours. He also sees SEARCH as something that could "shape American criminal justice for the next half century"—for good or for evil.

Some safety guidelines have been proposed by a SEARCH task force headed by Dr. Robert Gallati, director of the New York State Identification and Intelligence System. The key provisions are that data supplied for use in SEARCH "must be limited to that with the characteristics of public record," and must be systematically verified for accuracy. Direct access would be restricted "to public agencies which perform, as their principal function, crime prevention, apprehension, adjudication, or rehabilitation of offenders." Users must sign nondisclosure agreements, and "should be instructed that their rights to direct access encompass only requests reasonably connected with their criminal justice responsibilities." Specifically excluded are data on juvenile, misdemeanor, drunk and traffic arrests, and "unverified data such as that emanating from intelligence sources." The task force wrote: "The intent here is to avoid the use of data resulting from tips, rumors, or second-hand allegations that have not been formally substantiated or derived from official criminal justice proceedings."

Are these safeguards enough? Will SEARCH always be controlled by law-enforcement officials who can be trusted to make proper use of the material in their computers? Senator Ervin, although he was not referring directly to SEARCH, expressed his contempt of national data banks in a September 8 speech to the Senate:

> The new technology has made it literally impossible for a man to start again in our society. It has removed the quality of mercy from our institutions by making it impossible to forget, to forgive, to understand, to tolerate. . . . The undisputed and unlimited possession of the resources to build and operate data banks on individuals, and to make decisions about people with the aid of computers and electronic data systems, is fast securing to executive branch officials a political power which the authors of the Constitution never meant any one group of men to have over all others.

SEARCH, when operative, will make police files instantaneously interchangeable. And many of the states involved in SEARCH are coincidentally developing computerized intelligence systems for material far removed from violent crime: "to analyze the potential for disorders," as stated in an LEAA internal document. The California Council on Criminal Justice, fascinated by the wonders of electronics, describes its desired system as follows:

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> The state will have an operating intelligence system for the collection, analysis, interpretation, and dissemination of information relative to the prediction, detection, prevention, suppression and control of riots and disorders. This system will provide for necessary exchange of information at state and local levels, thus furnishing urgent and necessary coordination and cooperation.

Similar language is found in other state comprehensive plans. The type of intelligence useful to such systems is "raw" in the purest, or foulest, sense of the word. It deals with the political attitudes and activities of persons motivated by a diversity of reasons. Legitimate dissenter and terrorist will go on the tapes together.

Under the Gallati guidelines, such information would not get into the SEARCH system—so we are told. Cops, like generals, have a very human characteristic: they feel compelled to use fancy gadgetry once it is at hand. The computer systems designed to store information on organized crime and civil disorders are interfaceable with the SEARCH apparatus, and local police are already outspokenly angry with the Justice Department over alleged failures to provide information about potential

terror bombers in the Middle West. SEARCH's mere existence, in an era of intensifying national paranoia, is an invitation to abuse. An action brought by the Oklahoma Civil Liberties Union contends that the state's Office of Interagency Coordination has prepared a blacklist of 6,000 Oklahomans who are regarded as "actual or potential troublemakers." The compilation of the list was made possible in large part by a grant of the LEAA in the amount of $29,953.

One early proposal that zipped through initial screening at CCCJ would have made the California Department of the Military a central repository for collecting, evaluating and disseminating "intelligence" on civil disorders for the benefit of cops, public officials and the National Guard. Then Dr. William W. Herrmann, chairman of CCCJ's task force on riots and disorders, made the mistake of giving a silly interview to the *Los Angeles Times*. A retired Los Angeles policeman, Dr. Herrmann is a "counterinsurgency specialist" for System Development Corporation, a think tank which does much military work. Herrmann told the *Times* that a good computer intelligence system would "*separate out* the avowed dedicated activists bent on destroying the system," then find programs "to win the hearts and minds of the people." To Californians, Herrmann's ideas sounded too much like what the U.S. military has been trying on the South Vietnamese this past decade, and they raised such a fuss that Governor Reagan told the military to drop the project. Still alive, however, is a scheme of the Los Angeles police department (which wants $681,000 in LEAA money) to "develop 'intelligence' indicators of social and community problems that may lead to trouble. . . . This requires a center for receiving, analyzing and interpreting many different and diverse sources of information that might aid materially in the diagnosis of the build-up of social pressures that could possibly lead to a civil disturbance."

I asked Tom Galloway of the CCCJ what sort of information could be fed into a computerized intelligence system. He replied, "If William Kunstler makes speeches on ten campuses, and disorders occur on seven of them, you learn something of a pattern." But Galloway said any "workable" system capable of predicting disorders "is so far down the road that now is not the time to worry about it."

An Eye on Us All

Another form of electronic apparatus, equally popular with technology-minded cops, poses a more immediate threat to the privacy of citizens. As is true with much of the new crime-fighting gear being developed in LEAA projects, the stated purpose is laudable; the byproduct is sobering. The equipment in question is cameras—still, movie and television—operated from surreptitious locations as a substitute for or adjunct to police patrols. They are intended to record activities of criminals; unfortunately, they also catch the innocent.

On June 30, LEAA awarded $150,000 to the Delaware Agency to Prevent Crime (that state's SPA) to create a special twenty-five-man unit to combat street crime. Much of the money is to go for equipment that will permit officers to make surreptitious nighttime movies and video tapes. One TV system includes an infrared zoom lens ($3,300); a video recorder capable of preserving infrared pictures ($2,000), and a searchlight with an infrared converter "to use when no light is available" ($500). The grant includes $3,800 for rentals of civilian trucks for the police.

> [The rental trucks] are to be used as the basis on which patrol is to be conducted under covert conditions: e.g., uniforms of dry cleaners, salesmen, public utilities, etc., make it possible to be in a neighborhood without being obvious.
>
> [The infrared equipment] will make nighttime and daytime surveillance of persons and places possible without disclosing the fact that this is being done.
>
> [The photographic and TV equipment] will be used by the patrolling forces to take pictures of persons whose activities are suspicious in nature, and of groups and activities whose nature dictates that police incidents may occur as a result thereof; e.g., if a mugging should occur, pictures taken in the area and about

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the time of occurrence will be shown to victims. At times, TV pictures will be required; at other times, simple photography will suffice.

In addition to the rented civilian trucks the Wilmington police are also buying an "anti-sniper van" which has photography portholes. In the van are to be four AR-18 .223 caliber rifles, four twelve-gauge shotguns and four .243 caliber carbines, and three tear gas kits, purchased at a cost to LEAA of $2,120. LEAA is also buying the Wilmington cops 1,750 rounds of rifle bullets and 250 rounds of double-ought buckshot, known to law-enforcement specialists as a "killer load."

The Delaware Agency to Prevent Crime sees no invasion of privacy in use of the covert equipment. Indeed, it expects a "significant deterrent impact" on crime "without breaching constitutional guarantees," because police will be able to saturate high-crime areas without being visible. The grant application quotes a finding by the President's crime commission that one of five persons frisked on public streets is apt to be armed. "The police cannot afford to make four enemies for every 'hit' in the ghetto area" of Wilmington, the agency wrote. "More aggressive patrol in the traditional sense is unacceptable to a large segment of citizens as involving unwarranted invasion of privacy. Aggressive patrol aggravates community resentment, which in turn offsets the deterrent influence over the very behavior this type of patrol was intended to accomplish." The prospectus does not discuss community attitudes toward covert surveillance.

A surveillance system being developed in Tampa, Fla., uses computers to control a network of video tape recorders and alarms placed in "convenience" grocery stores, overlooking parking lots, and atop warehouses in high-crime areas. STAVS (for sensitized transmitted alarm video system) is an expanded version of the cameras long used by banks. According to Florida's prospectus, no pictures actually will be made unless a crime is attempted. Activation of the camera then causes broadcast of a prerecorded radio signal to roaming squad cars or helicopters. A high-intensity light comes on atop the target building. The Florida prospectus states:

> The possibility of immediate apprehension of a criminal while in commission of a crime is the ultimate of evidence for prosecution. In the event immediate apprehension is not affected, then the [police] department would have video tape evidence of the crime and positive identification of the culprit while in the act of committing the crime.

Tampa police said they realized that "the use of the STAVS would be publicly known after it has been in operation for some time." Nonetheless, they said, the fact that the unit is compact, "affording efficient installation and secretiveness," means that "a potential criminal would have no knowledge as to which establishment has a STAVS unit installed in it." A central monitor, installed at police headquarters, will enable officers to observe what is happening in some fifty Tampa locations—without ringing bells to alarm the populace.

Tampa citizens will also be subject to covert surveillance even before they enter a business house. The Florida plan states: "The video-recording camera is installed overlooking a shopping center parking lot. The camera

surveillance is watched on monitors. When suspicious activity occurs, the operator can utilize the affected camera's zoom lens for a close-up."

What might the monitors disclose? Teen-agers engaged in innocent afternoon necking; a housewife adjusting her hose; a salesman taking a nap; a businessman using his car for a meeting he wishes to keep secret. All observed on a federally funded candid camera, with close-ups.

Much of LEAA's electronics work is laudable. By cajolery and demonstration, it has convinced police departments that their radios should be compatible with those of neighboring jurisdictions. It is financing research on a compact trans-receiver radio to keep foot patrolmen in contact with precincts. A computerized burglar alarm system in Detroit has cut police reaction time by half.

But what of the other electronic activities—the recordings and photography? What safeguards will protect the American public from police who decide to use this system to transform the United States into a "wired society"? I asked this question of a former LEAA official, a man who supports covert police work. His response wasn't reassuring. "The police," he said, "will be so inundated by information from such systems they won't be able to sort it out. Sure, you'll have thousands of feet of film and tapes, but how are you going to pick out one person and follow him around? What kind of computer could do that?"

Arresting the Symptoms

Judge A. Leon Higginbotham, Jr., vice chairman of the National Commission on the Causes and Prevention of Violence, criticized LEAA's civil disorders work before a House subcommittee last spring. He expressed "great fear . . . that we get more expertise on getting

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Mace and riot guns than we have on community relations." He noted that the Safe Streets Act "gives a disproportionate advantage if you are chasing riot equipment than if you are working on community relations. I think that somehow or other we have to start turning the corner on that point."

Yet LEAA has been moving in exactly the opposite direction, and at an accelerating pace the past four months, for these reasons:

¶The troika ruling LEAA could not agree on broad program approaches. Coster and Velde are hard-nosed about unrest; their immediate interest is to develop a police ability to curb disturbances, rather than to develop long-range community relations projects. Rogovin, while administrator, took an opposite stance, and they were in a stalemate. "Charlie fought, and lost, some of his biggest battles in trying to get disorders programs approved," says a close observer. And many of his victories are being reversed, now that he is out of LEAA. For instance, there was for a time a pilot project to give police sensitivity training. "Coster saw no sense in this whatsoever, and he wouldn't let it continue," says a person now out of LEAA.

¶The Justice Department's Community Relations Service, in an unpublished critique circulated last summer, blamed the predominance of police on state and regional planning boards for the slipshod programs drafted by the states. Quotations from two CRS consultants in the Midwest are illustrative:

> This program is a one-way street. Demands will be made of citizens. However, there are no admonitions or demands placed upon law-enforcement officials to deal constructively . . . and justly with citizens. . . .
>
> There has been no input from minorities. Crime tremendously affects minorities and jeopardizes the health of these communities.

In 1969 riot-jittery states made heavy allocations of Safe Streets funds for prevention and control of civil disorders—22.5¢ of every dollar. A special section of the Safe Streets Act directed LEAA to make riot grants in advance of approval of state comprehensive plans—a means of getting equipment to cops in a hurry. And much of these funds went for hardware items—tear gas, firearms, protective gear, floodlights, Louisiana's tank (described officially as a command-and-control vehicle). Once the police were armed, however, state interest in civil disorders dropped markedly. In fiscal 1970 the states allocated only 3.9 per cent of their block-grant money for civil disorders. "It's easier to buy a bunch of gas cannisters and masks than to find a sensible way to spend civil disorders money," said an official in LEAA's Western regional office. Yet enough riot money remains to make LEAA a minor bonanza for police hardware manufacturers.

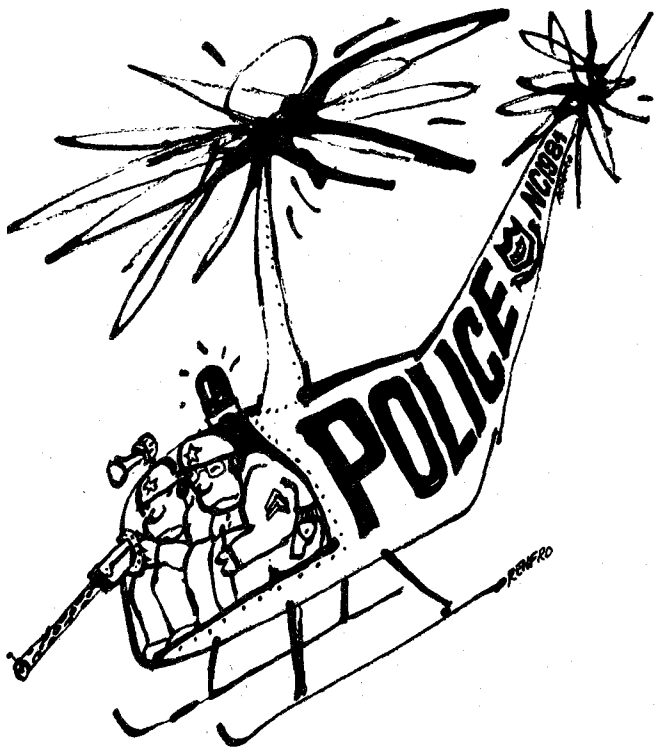
There is evidence, by the way, that LEAA could get more for its money by supplying equipment directly, rather than permitting police to purchase it on the open market. The U.S. Army, for instance, manufactures its own tear-gas cannisters. The military's M7A3 grenade, standard for riot control work, is produced at a per unit cost of from $3 to $4. A comparable civilian pyrotechnic grenade, manufactured by the Lake Erie Chemical Co., of Rock Creek, Ohio, has a catalogue price of $11.30. The International Association of Chiefs of Police (IACP), in a *Police Chemical Agents Manual* published with LEAA funds, suggests most gently that manufacturers are gouging the cops. Judging from field-test reports in the same volume, the cops need a Ralph Nader to protect them when they buy tear gas. Put bluntly, much of the stuff doesn't work as advertised.

Manufacturers further boost tear-gas profits by imposing a three-year limit on cannister storage. The military permits an eight-year limit, which the IACP considers more realistic. It complains: "There will have to be some 'give' in the cost/shelf life characteristics of chemical munitions if law-enforcement agencies are going to prestock at the levels necessary to deal with an era of civil disorder."

LEAA is hypersensitive on two issues: that it will be blamed if local police kill demonstrators with weapons purchased with federal funds; and that it will be accused of actually commanding police at riot scenes. After the Kent State University killings LEAA began writing a special condition into grants for weapons purchases. Typical is the language used for Louisiana:

> The grantee shall recognize that any subgrant to purchase rifles, handguns, shotguns, or any other weapons with lethal capability shall, as an integral part of that grant, contain a condition requiring the subgrantee to train all appropriate personnel in the safe and correct use of those weapons, and that the subgrantee will . . . establish command and control procedures adequate to assure proper restraint in weapons' use under all conditions.

LEAA imposed these rules on the theory that an officer who is handed a shotgun or high-powered rifle should have more than cursory guidelines on what he is permitted to do with it. Neil Lamont, executive director of the Louisiana Commission on Law Enforcement and



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Administration of Criminal Justice, protested heatedly to LEAA about federal "interference" with local police. However, he took the money.

An "interference" issue in a different context was raised after the arrest of 894 black students at Mississippi Valley State College in February. The students were boycotting classes to protest policies of the president, J. H. White, who asked state authorities for help in restoring classes.

The Mississippi Highway Patrol was itching to get onto the campus, but Kenneth Fairly, executive director of the State Law Enforcement Assistance Division, feared the patrol would provoke bloody violence. He and President White began looking for an alternate, and eventually Fairly telephoned Paul Estaver, acting director of LEAA's civil disorders office in Washington. Estaver says now: "Here I am, at home on a Saturday afternoon, and a state official calls me and asks for help. In good conscience, how could I refuse?"

Estaver spent hours on the phone, searching for a competent outsider to command a security force that would go onto the campus. Fairly managed to collect fifty-eight black policemen from Mississippi cities, and Estaver got Ray Polk, former police chief of Waycross, Ga., now employed in LEAA's Atlanta regional office, to go to the college. Polk kept off the campus itself; however, he did go over the Mississippi officers' plan for putting down the boycott. "The gist of his advice was 'cool it and don't try to serve any warrants until the situation calms down,'" says Estaver. Polk then left. The next day the Mississippians arrested the 894 students and hauled them away to Parchman penitentiary for an overnight stay. It was the largest mass arrest of college students in the nation's history.

Estaver says he makes no apologies for LEAA's participation. "Orangeburg was very much on people's minds. I'm proud that no blood was shed, and that we were able to contribute to a solution." But the backlash was so great—chiefly because of a *Washington Post* story that charged LEAA with running the operation—that LEAA tightened its guidelines on furnishing "technical assistance" in future situations. Approval of the administrators is now required.

The Price of Safety

By early 1970 LEAA administrator, Charles Rogovin, had decided the troika leadership wouldn't work. Both policy and operational decisions required unanimity, and he, Velde and Coster found themselves "deferring" more and more items because they couldn't agree. "A troika might be fine in a regulatory situation, where you can vote on factual issues, but it's no good for administration," states Rogovin. "If you are going to be a manager, you have to have some sort of basic authority." LEAA was stagnant. The able Henry Ruth, director of the National Institute of Law Enforcement and Criminal Justice, LEAA's research adjunct, complained of not being permitted to undertake anything beyond mundane projects which polished and updated existing studies. He quit. Staff members complained they couldn't go to a single leader and ask, "May I do this?" Rogovin said later in a letter to Sen. Joseph Tydings (D., Md.): "When I attempted to exercise leadership and my colleagues disagreed, the agency was stalemated. I sat helpless while this program—which I regard as the most important effort ever made to improve criminal justice—deteriorated because of a totally bizarre administrative concoction."

Congress was beginning hearings on amendments to the Safe Streets Act, and one idea under consideration was to abandon the troika. Rogovin went to Mitchell, told him flatly the troika was no good, and let the matter hang. "I didn't make it a case of 'change it or I quit'; I just told him my feelings."

But Mitchell liked the troika. Rogovin resigned and within a few months was asked to head the Police Foundation, which the Ford Foundation set up with a $30 million, five-year grant. Five months have now passed, and the Nixon Administration has yet to replace him.

That leaves in command Velde and Coster—men dedicated to the existing LEAA organization, and who say they are convinced they can make it work. Velde recognized the built-in handicaps of the block-grant system, but says LEAA must learn to live with them. And he is very sympathetic to the state planning agencies, especially the ones with restricted budgets. "The governor of New Mexico is paid only $17,500," Velde says, "and the pay scale of the rest of the state is based on that figure. A salary of $7,000 to $8,000 is not attractive to a man with a planning background and criminal justice experience. But that's what they have to pay." (New York has staff positions in the high $20,000 to low $30,000 bracket; its LEAA director makes more than does Velde.) And Velde notes that the state officials work in "incredibly political situations. They are caught between varying interests at the local and county levels, and lots of guys with long knives are out to get them every time they make a decision. After all, they are the guys who give out the dough."

Some revision of the troika does seem imminent. A House amendment passed in this session abolished it altogether and substituted a single administrator. The Senate version retained the concept of shared responsibility, but designates the administrator as the executive head "to exercise all administrative management authority" and permits "substantive" powers to be exercised by the administrator with the concurrence of only one of the co-administrators, not both as at present. Senator McClellan said he felt the Senate proposal was "sufficient to assure the operational and management efficiency of LEAA without running the danger, in a program involving national impact on police power, of placing too much authority in any one man." A conference committee must resolve the difference before Congress adjourns.

Nor does Velde think Washington should supplant the states' planning role: "It's easy for a planner to sit down and draw up a grandiose document—but tough to implement it, and make the local governments split up their matching funds. That's why you must involve the local governments at all stages."

Is Velde still convinced that block-grant approach is superior to direct federal dealings with grantees?

"Yes, sir, absolutely, and I say that on the basis of significant experience with discretionary grants." In the last year some 500 discretionary grants have passed over Velde's desk for signature. "They take up a good share

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of our staff time, and I don't know how one man could give intelligent evaluation to all of them. Also, how the hell do I know what is the best for Omaha or Chicago? We can't exercise any meaningful judgment as to their needs. Projects we dreamed up in Washington may be totally foreign."

As further evidence, Velde points to the highway safety program in the Department of Transportation, which is in the process of changing from direct grants to the block-grant approach. State coordinators, not federal officials, will determine who gets money. Formerly, federal highway officials were besieged by hundreds of applications annually. "How are they going to pick and choose who is best from that number? It was a hell of a political tangle. Congressmen on the department's committees could wangle grants for particular states. The agency was protecting its internal political interests, not meeting the real safety needs of cities. The state coordinator now doles out the dollars and gets the political heat."

With only 300 staff members, in Washington and eight regional offices, Velde says LEAA couldn't begin to give close scrutiny to every grant. In 1969 the state agencies made 3,000 subgrants with LEAA money. There were 15,000 in fiscal 1970, and Velde expects "from 25,000 to 27,000" in 1971. "What it comes down to is that we must rely upon the state agencies for the ongoing surveillance," Velde says, "to see that when someone orders four walkie-talkies, that four are delivered, not two; and that radios go on police cars, not on road graders in the highway department." He says he has no worries about "quantitative" auditing, for much of the spending is for such narrow purposes as equipment and training, and hence easily controllable. Quantitative analysis is another matter entirely. "We're starting from scratch, in something not done before, and some of the evaluatory efforts, I tell you quite frankly, are not worth a damn."

Velde also says LEAA is sensitive to critics of its programs. During fiscal 1969, for example, states allocated only 14 per cent of their action grants for corrections. Through vigorous arm-twisting, LEAA managed to get that figure up to 27 per cent in 1970. And he says he and other LEAA officials are now trying the same thing on courts, which received 6 per cent of the action funds in 1969, and only 7 per cent in 1970.

Velde summarized the first two years on August 3 when President Nixon visited Denver to speak to a gathering of directors of the state planning agencies. "Two years ago," he said, "no national crime-control program existed. Today, it is a reality. The nation has far to go, but an excellent start has been made on this new partnership among state, local and federal governments." And he repeated a favorite notion of John Mitchell's—that LEAA is "the cutting edge of the new federalism—putting the responsibility where the problem is, and then putting the money where the responsibility is." Velde concluded: "Until the streets are safe, there are no laurels for the criminal justice to rest upon."

What, then, is the price of safe streets?

A federal role in law enforcement is an irreversible fact. Indeed, a major LEAA worry during the current session of Congress was being appropriated more money than it wanted, a rarity for a federal agency. "If we were to distribute $1 billion in anti-crime funds this year [fiscal 1970] much of it would be wasted," Mitchell told a House subcommittee in the spring. But Mitchell leaves no doubt that he will be asking for $1 billion, and more, before the Nixon Administration withdraws from Washington. And Americans for Democratic Action, not to be outdone on law and order, has recommended a federal outlay of $10 billion per year for criminal justice.

During the past two years the police have demonstrated that money for training and equipment can give them technical and tactical expertise—the basic professionalism in physical skills that army recruits attain in advanced infantry school. And now that the scientists are sniffing around law enforcement, the level of police technology is due for a quantum jump. More and more cops will be attending criminology classes and advanced professional programs under LEAA sponsorship (if only to get away from home for a few weeks), and the universities are recognizing law enforcement as a new area of grantsmanship. (However, Police Chief James Ahern of New Haven, Conn., says this program has "resulted in . . . a crop of new courses designed more to attract federal dollars than to be relevant to the student's needs. The money spent on those efforts has produced a second-rate system that has more training than education. In fact, the police science courses supported have tended to segregate police on campuses and limit severely their educational experience.")

The American people deserve something better for their money. The various Presidential commissions of the mid-1960s—crime, Kerner and violence—said quite specifically that the basic structure of the police agencies is unsound, a condition demonstrated through their failure to perform their basic mission. Nonetheless, LEAA is devoting its energy (and great sums of our money) to buttressing up the existing institution, rather than stepping back for a critical look and asking, "Shouldn't we start from the ground up?"

An example: Asked for a concrete accomplishment of LEAA, Associate Director Coster points to the District of Columbia, whose crime rate has dropped during the past year. LEAA's role was to supply money to increase the police force by 1,000 to 5,100. The conditions that caused the crime remain untouched.

Edward T. Anderson, of the Friends Committee on National Legislation, suggests a different role for the federal government: "The LEAA, instead of encouraging the formation of a dangerous national system of communications and interlocking computer banks, should rather be acting to force entrenched white-dominated police departments to give up some of their monopolistic power of life and death over poor and black and radical youth, so that that power be responsible and tempered, not repressive and brutal. The struggle is already on between aggrieved local groups and the police. The LEAA must mediate and lead in this, not encourage the excesses of those in power now."

"The LEAA program has no place for anyone with dreams of repression," Richard Velde told an IACP meeting in 1969. "It is designed to make a safer America, a more just America for everybody—black and white, poor and rich." But LEAA has chosen sides; it is a program for cops, not for criminal justice, and the men in charge are insuring that it remains just that. □

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BOOKS & THE ARTS

The Art of Process

IMAGINATIONS. *By William Carlos Williams. Edited by Webster Schott. New Directions. 352 pp. $10.*

ANN PARSONS

Mrs. Parsons has written a study of the short stories of William Carlos Williams. At present, she is teaching English at the University of Utah.

As an intern at the Old French Hospital in New York, William Carlos Williams gave unstinting admiration to a colleague, Charles Krumwiede, a man who, he says in his *Autobiography,* "keeps his senses open and detests only the obscurity which would occlude his detailed perceptions." Very early in his career, Williams was as sure in his writing as in his medicine that he must find ways to keep his senses open, to cut through obscurities, and to make his perceptions available. The five books collected in *Imaginations,* written mainly during the twenties, are at once the ongoing activity, the evidence and the outcome of his effort to make himself clear. These books are early work, comparatively little known except for the poems of *Spring and All* and *The Descent of Winter,* which are often published and anthologized separately. By collecting *Kora in Hell, Spring and All, The Great American Novel, The Descent of Winter* and *A Novelette and Other Prose* into one volume, New Directions enables us to follow the development of the man who wrote *Paterson.* These books are, in varying measure of completeness, literature in their own right. They are also the very sustained and serious effort of a major writer to see where he is and where he must go. The direction he finds during these years is the one he follows for the rest of his life. His later stocktakings deal largely with his changing grasp of means. *Imaginations* works with definitions of purpose which are crucial to his future achievement.

The effort engages him in finding out what he means by clarity. Confronting his world, he sees only confusion and chaos. His medical practice takes him mostly into the slums during these years: into lives which have no direction but a harsh daily struggle to survive the crippling effects of an environment devoid of coherence, a sense of future, or any trusted social value to make the struggle worth while. Saturated in such contacts, he finds that the received civilized norms do more to worsen the confusion than to redeem it. "Here's a brutal jumble," he says in *Kora in Hell,* and in *The Descent of Winter* he characterizes modern life as fragmentary and stupid in its "perversions of instinct, blankets, amputations, fulsomeness of instruction and multiplications of inanity." He sees conventional literature's response to reality as no less futile than our political, social and ethical institutions, whose systems of order are alien to the realities of America. Such literature evades its real function, to "penetrate everywhere with enlightenment," and takes refuge in another country, both literally and metaphorically.

These are the obscurities Williams feels himself to be facing. There is pessimism, sometimes despair, in *Imaginations,* and a fear of personal inadequacy which made him end an early short story:

> I want to write, to write, to write.
> My meat is hard to find.
> What if I have not the courage?

But the dominant mood of all five books is not a descent into hopelessness but rather a faith in his ability to find his meat, and often an exhilarated sense of possibility in exploring ways to deal with it. "Strange recompense, in the depths of our despair at the unfathomable mist into which all mankind is plunging, a curious force awakens. It is HOPE. . . ." He seldom allows himself to care that no one, probably, is listening to him, but plunges into the task of freeing his detailed perceptions—"agonized approaches to the moment"—from traditional categorizations which inhibit them, and of releasing himself to new possibilities for form.

The tearing down of old fences (barriers which, like Frost's, keep valuable things out as well as in) is an essential preliminary to new building. Williams writes *Kora in Hell* to confront formlessness, to become accurate about the jumble of actuality and about himself experiencing it. The writing is therapeutic in its engagement with alternatives to despair and in its year-long attempt to "see the thing itself without forethought or afterthought but with great intensity of perception." The deliberate breakaway from established structure is the "disjointing" process which frees him to reach toward possibilities for a new aesthetic. "You speak of the enormity of her disease, of her poverty," he says of a sick old woman. "Bah, these are the fiddles she makes tunes on." In *The Great American Novel* he mocks and subverts the forms of fiction, and of various kinds of official language; and in *Spring and All, The Descent of Winter* and *A Novelette,* he plays with mixtures of prose and poetry, non-linear and non-logical progressions, mixed-up chapter headings, violent shifts of tone and topic, to achieve a preliminary clearing of the ground. Even in later life, with his accomplishments publicly recognized, he sometimes saw all his work as this kind of preparation: future writers would cultivate the ground that he had cleared.

But he is also, from the beginning, looking in new directions for formal invention. His iconoclasm is not capricious, nor motivated by malice. The writing of *Imaginations* strengthens him in a belief that possibilities for cultural renewal and health lie in, and can be nurtured by, the same environment as that which victimizes and warps people. He comes to believe that systems of aesthetic order which ignore this environment are bound to fail, offering at best a "soft second light of dreaming" to escape from reality. He sees and celebrates in *Imaginations* the vitality in the disorderly lives of the poor. His drive throughout these books is to identify the springs of this vitality, and to make it available to his writing. He has sometimes been under suspicion of sentimentality for his faith in the richness of poverty. But he knew the danger, certainly by 1927 when he commented on Sherwood Anderson, Maxwell Bodenheim and Ben Hecht that "they have made a virtue out of the philosophy and understanding of ordinary and stupid people, as if there were some virtue in it. Whereas the book must be the discovery (among such people, if so it be) of an elevated theme." This discovery and the using of it are his imagination's imperatives.

He is not seeking self-realization and freedom at the expense of form—another charge he sometimes faces, and one to which *Imaginations* vigorously gives the lie. The freedom is essential to the discovery of new patterns, and in working to achieve it Williams often sounds joyfully destructive. But he is also working to make new forms: he

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undercuts traditional notions of structure in order to arrive at a new basis for faith in form. The imagination, he says in *Spring and All,* "freed from the handcuffs of 'art,' takes the lead" in revaluing experience, in making "a new object, a play, a dance" which will "give created forms reality." Barehanded the poet "contends with the sky, seeking to invent and design." The poet does what every man does, and he must find his principles of form within the experience of actual life.

Williams is convinced that the finding of forms which will not falsify experience is essential to the continuing growth and health of culture. The artist, and he alone, has the imaginative power to cut through chaos and to perceive and rescue for his time its potentiality for vital order. His task is redemptive. Williams wrote to Horace Gregory in 1944: "It is the poet who lives locally, and whose senses are applied no way else than locally to particulars, who is the agent and the maker of all culture"; and again, a few days later:

> If, as I believe and keep always before my eyes, if art is a transference—for psychic relief—from the actual to the formal, and if this can only be achieved by invention, by rediscovery, by assertion by the intelligence and the emotions in any and every age—and if the grand aspect of this living drive is, when it occurs, a culture, then, I say, our chief occupation as artists, singly and jointly, should be the clarification of form, new alignments, in our own language and culture.

He probably could not have formulated his convictions so precisely in the twenties. The work done in *Imaginations* is rather the movement of his mind toward fuller understanding of what he must do, how it may be done, and why the poet must take upon himself the work of redemption. But the books are more than his instructions to himself: they explore possible ways of meeting the needs which he is simultaneously defining. He experiments with free association and juxtaposition, with contrasts between one style and another, with poems which continue a prose insight on another plane, with parody and imitation. In such experiments, he is looking for ways to make out of the open-ended sequentiality of life an art which will not deny or palliate actuality but will use and imitate formally his contacts with its rhythms. Further, he works for a kind of contact which we recognize now as a major direction in the development of modern literature; we owe our recognition of it partly to him. The writing is, as John Dewey defines it in *Art as Experience,* an agent of the process of discovery, not its record. Only in the writing is an experience fully possessed and completed. If Williams seems to value polish and unity in a work of art less than the sense it communicates of the artist face to face with his needs, it is because he believes that writers are inhibited by public criteria of formal completeness. He feels the inhibition himself, and seeks in *Imaginations* to liberate himself into kinds of writing which can both be and celebrate the imagination's undistorted contact with experience.

Imaginations, then, investigates and practices a new aesthetic, based upon the values of incipience and process. The five books all document, as Webster Schott points out in editorial comment, Williams' long and difficult search: they talk about and are the journey of his mind. In *The Descent of Winter,* Williams describes the birth of Dolores Marie Pischak to a Polish immigrant family in Fairfield, N.J. "This is her portrait," he says, and the portrait develops as a kind of paradigm for the "big, serious portrait" he wants to make of his time. (For a while he thought of Dolores Marie Pischak as the central protagonist of *Paterson.*) "This is her portrait—order be God damned." He makes the activity of writing her portrait enter into the process of his senses as they take in Fairfield's confusion,

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Carey McWilliams

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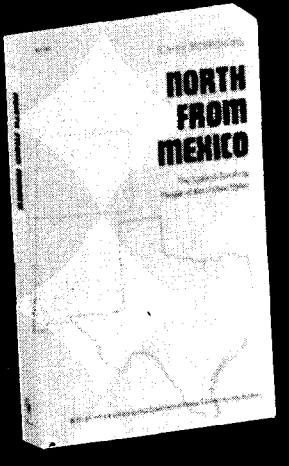

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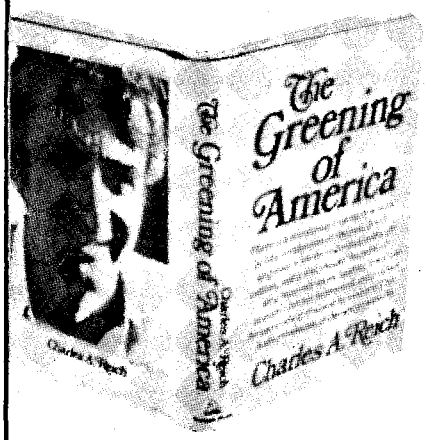

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ignorance and vitality. An old farmhouse stands in its rural setting next to a dirty factory "with red and purple refuse dribbling out ragged and oily"; a jewel of a tiny garden is set among patches of dust and dirt; a baby born among "insults, brawls, yelling, kicks, brutality" holds out to him the promise of a vital order amidst the degradation of poverty. The brief sketch, in the manner of its writing and in what it says, reveals the direction of Williams' effort to see and understand throughout *Imaginations*, and his equipping himself for new ways of using his experience in art.

The task is not finished, of course, with *A Novelette and Other Prose*. All his work is a going deeper into the problems, insights and possibilities which the writing of the five books collected in *Imaginations* helped him to grasp. There is always the difficulty, for those who want to understand more exactly the nature of his achievement and contribution to our culture, that Williams' critical convictions, the foundations of his art, can be grasped only through a process of accretion. If we look for a logical sequence of exposition, an ordered theoretical framework, we are disappointed. Understanding has to be worked for in the kinds of ways he worked for it, in quick glimpses of illumination, moments of insight when he catches "the evasive life of the thing" and finds "time to bang out a few pages." New Directions' collection in one volume of a decade of such moments has a double value for us. It makes newly available books which, at least in complete form, have been out of print or inaccessible; and it helps us to see the steady effort of Williams' difficult search for clarity, for a faith with which he could go on writing. The title chosen for the volume is one which Williams would have liked, I think, because the five books all affirm his faith in the power of imagination to comprehend reality, and they all explore ways of doing it, through theory and through practice. □

Shooting Blanks

THE DICK. *By Bruce Jay Friedman. Alfred A. Knopf. 310 pp. $6.95.*

GILBERT SORRENTINO
Mr. Sorrentino is a poet and novelist. His latest novel, Steelwork *(Pantheon), will appear this fall.*

One of the great problems of "black humor," of which Mr. Friedman is a practitioner, is that it hovers uneasily between satire, which it is not, and camp, which it sometimes is. Satire, in Wyndham Lewis' phrase, is "the great Heaven of Ideas," and its intent is to destroy; on the other hand, in that most gutless of genres, camp, large servings of the decayed are proffered with the tacit suggestion that the author knows their nature and is therefore not to be indicted for stupidity.

I have read several reviews of *The Dick*, all of which point apologetically to the tattered symbolism of the book as a kind of flaw: the title; the bisected face of the hero, Kenneth LePeters; his psychosomatic groin injury—and on and on. It seems to me, however, that Mr. Friedman is perfectly well aware of the bathos of such symbolism, that it is folded into the book in a shamelessly disingenuous way, that it is, absolutely, an instance of camp. It is impossible in these times for a professional writer not to know how ineffective such lumpy and intransigent symbols are. On the contrary, the author has placed them in the book in so obvious a way that only a numskull could take them at face value. Mr. Friedman *means* for you to see the triteness of such weary machinery, and to applaud its clanking.

The narrative line of *The Dick* is secondary and merely conventional—which is by no means a fault: the plotted novel has been finished off by masters, and the modern writer must use it simply as a structural device or eschew it completely. Doing away with the story line forces the writer to concentrate on his language—which is what finally determines the quality of all writing, good or bad. The difference between this novel as published and this novel as the short story it might have been lies in the padding Friedman has applied to it. Somewhere in this morass of hip Myron Cohen stories, there is the possibility of a short story: it grew as the jokes grew, and ended as the novel now before us.

The Dick is composed of block-like paragraphs, most of them sufficient unto themselves, laced with gags, and ending with one-liners. The jokes are at the expense of everybody—another difference between black humor and satire, since satire aims point-blank at something the author means to kill. The laughter in *The Dick* is human laughter, very different from the laughter one hears thinly in the pages of *Gulliver's Travels* or *The Apes of God* or, for that matter, *Naked Lunch*. I bring up this

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point not to belabor *The Dick* for what it is not but to call into question the entire genre of literature loosely labeled black humor. For the satiric scourge it substitutes a gentle nudge, a gesture that passes current with the literate elite who have accounts at the First National Bank of Hip Ideas. If it is fashionable to be gently anti-Semitic, it is equally fashionable to be gently anti-black. This sort of humor is without focus; it gives equal time to everybody; it operates off the *Zeitgeist*, confident that it will be recognized as sophisticated. In a word, it pleases.

One "knows" that *The Dick* is not anti-Semitic, though it is; nor is it anti-black, nor even anti-cop—though it is. All these things, it is assumed, are equally absurd to those who make steady withdrawals from the First National, so all these things may be ribbed. But nothing is flayed alive and nothing is destroyed, and here we are in camp.

There is not much to say about Friedman's prose. It is thick, has a dead weight to it, and is spiced with vulgarisms and sudden intrusions of "surprise" words that work to give it a life that its cadences deny it. Yet this prose serves the purposes of the novel perfectly. It is a sort of sham prose, smoothly engineered to chew up everything. It is a prose that seems to grin knowingly at the reader, and mutter, "We all know what I'm talking about, right?" It does not define, it skates over; it does not discriminate, it lumps together; most important, it does not deal with things but with sophisticated notions about things.

It is one of the untruths of writers' "workshops" that an author must be judged on whether or not his work has realized his intent. In my opinion the intent itself ought to be examined. *The Dick* is successful on its own terms, but I am against it. However, I recognize that this novel, and all black humor, give a voice to confused liberals. No doubt the genre will have a long run as a palatable substitute for satire, for which the absurd is not a bedfellow but a target. □

The Master and Moliere

THE LIFE OF MONSIEUR DE MOLIERE. *By Mikhail Bulgakov. Translated from the Russian by Mirra Ginsburg. Funk & Wagnalls. 259 pp. $6.95.*

DONALD FANGER
Mr. Fanger, author of Dostoevsky and Romantic Realism *(Harvard University Press), teaches Russian and comparative literature at Harvard.*

Among the lives of remarkable men, perhaps even in the Soviet series of that name—for which this book was written in 1932-33 and by which it was finally published in 1962—Mikhail Bulgakov's own life deserves a special place. If and when it assumes that place, the model may well be this "portrait of the great French satirist by the great Russian satirist," as the American dust jacket has it.

Written with a delicacy verging on reticence, Bulgakov's book is an easy one to misrepresent. With its short chapters and simplicity of line, it looks at first glance as if it might have been intended for children. And though there are facts enough to justify the title, Bulgakov's appetite for them is more moderate than the average biographer's; he takes what he needs, but does not gourmandise. By the same token, though virtually all the plays are mentioned, few are actually quoted, and none is analyzed as a work of art. Scenes from the life are re-created in the manner of the *vie romancée*—but sparingly; and they are never crucial.

The effect of these denials is to make the reader of this original book constantly aware of the more familiar thing it might have turned into—a solid life-and-times, a detailed development-of-the-artist, Lust for Life, or The Agon and the Ecstasy—had the author not been following an intention of his own. That intention, as I see it, was to produce only that life of Molière which only Mikhail Bulgakov could have written, a life based on a deep but tactfully restrained sense of identification.

The temperamental bases of that identification are suggested in a passage where Bulgakov (who had himself abandoned a medical career for the lure of literature and of the theatre) contemplates a portrait of the young Molière, recent recipient of a degree in jurisprudence he would never use:

> His eyes are remarkable. I read in them a strange and ever-present caustic smile, and at the same time an unquenchable wonder at the surrounding world. There is something sensual, almost feminine in these eyes, but in reality there is a secret illness in their depths. Some worm, believe me, is already gnawing at this twenty-year-old man.
>
> The man stutters and breathes improperly when he speaks. I can also see that he is quick-tempered and subject to abrupt changes of mood. He easily passes from moments of gaiety

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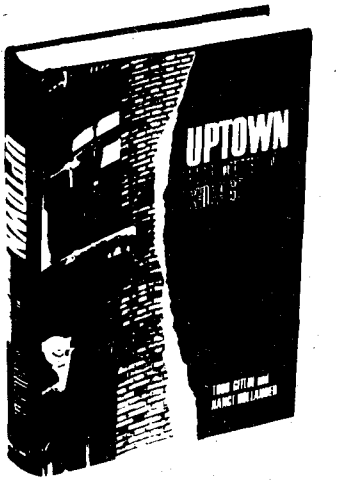

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to moments of dark reflection. He finds ridiculous traits in men and likes to make them the butt of his jests.

On occasion he carelessly slips into frankness. At other times he tries to be secretive and cunning. He can be recklessly brave, but he can also shift within the moment to irresolution and cowardice. You must agree with me that with these characteristics he will not have an easy life, and will make many enemies!

But let him live his life!

Not an easy life: that is what Bulgakov seeks to explain. No one had better credentials. His own first play had been an enormous success with the public; his second was banned. Critics attacked him; he was not allowed to reply. From the early thirties until his death in 1940 his name could hardly be mentioned in print. He wrote a letter to the government, protesting that the ban on his writing was equivalent to a death sentence, and the answer was a phone call from Stalin, which led to a job as consultant to the Moscow Art Theatre. There, his projects were encouraged, tampered with, and finally dropped. Who better could suggest the drama of Molière's dependence on Louis XIV, sole court of appeal against the would-be censors of the court and the Church—and himself the censor-in-chief?

Recognizing these striking parallels, one might be tempted to read the book as an exercise in Aesopian language, an editorial in disguise. But that would be a mistake. It would simplify Bulgakov's message and underestimate his artistry.

For Bulgakov's fascination with Molière was deep and long-standing. In addition to the present work, he produced two plays, one based on the life, *The Cabal of Hypocrites*; the other, *The Half-Wit Jourdain*, a potpourri of themes from the comedies. He also translated *L'Avare*. What this suggests is at least a double interest: in the art (which, for Bulgakov, meant the stagecraft; purely literary criticism bored him), and in that deployment of talent and temperament which was the career. Here, constricting circumstance is viewed, whenever possible, as a challenge, rather than as grounds for simple indignation. Bulgakov is not a deplorer: he respects toughness and resourcefulness. "And what," he asks after describing the first prohibition of *Tartuffe*, "did the author of the luckless play do? Did he burn it? Or hide it? No. As soon as he recovered from the Versailles scandal, the unrepentant playwright sat down to write the fourth and fifth acts."

It is a theatrical life he celebrates —and writes. In the prologue he appears

Poems by Frank Kuenstler

THE LIVING MONUMENT

1. (Perpetual Novena for K. B.)

Forty but not famous, infamous in a small way, going
he confuses picaresque novels & tennis racquets
all rackets, as a matter of fact
as he rides into the sunset, the dawn

At one with his horse & hearse
& they're off in Poland & Paris, identity papers
intact—con men, nails & agents—singles & doubles
grist to the CIA's windmill & the State

2. Irish

The penpoints have been drugged to rhyme with notes
Late corn echoes capitalism. Streets
are crowded with unions, black power, blank verse
effervescence. Schools, & surreal fish

It is pleasing to strike an image
Romans, Kennedy lives. In Schenectady, bullrushes
One-dimensional electricity. Tragi-comedy
surrounds us. Fern steeples compose Westminster Bridge

3. Finally

There's nothing extra on Miss Knobelach.
The other girl's face is a terror, Italian.
Let love bow, simulate ditto marks.
The mirror, too; necessity's news

The picture is about a pregnant gypsy
the awkward Renaissance of Brooklyn, nothing
Hairy. & this card goes into the cabinet
with the others: catalogues, crumbled castles

THE BRINKLEY SHOW

want of a cigarette drives me from my house
& I see my fellows blasted by existence
feet & health gone, administrators
merchants, scholars of time
They walk like storks (their country
cousins erected domes, & lights)
City mechanisms don't seem to work
Measure what you will, subscribe
the course, & the plant is elsewhere
not in this house. England, Greece
by some flip-flop turn out to be
the same phenomenon, & Japan
is held in the same device of German money:
Fortune dances to the music of their parties

RED SUEDE STOCKINGS

Too much anxiety
in our society
got the rock & roll blues

Gypsies do not please
nor do my red suede shoes
I got the rock & roll blues

& the galleries
are rococo. You know
I got the rock & roll blues

In the darkness there's a light

I smoke absinthe
& grow fondue. What can I do?
I got the rock & roll blues

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"dressed in a caftan with huge pockets," holding a goose quill and writing by candlelight. Be careful, he urges the midwife who is about to deliver the infant Molière: this child will become "more famous than your reigning king, Louis XIII; he will become more famous than your next king, and that king, madame, will be called Louis the Great or the Sun King!" To the protests of the astonished midwife, he answers by cataloguing the extent of the infant's future glory: "My hero's plays will be performed for three centuries on all the stages of the world, and no one can tell when people will stop performing them. This is what interests me!"

From the beginning Bulgakov thus claims a freedom to make anachronistic comment: the caftan symbolizes his desire to see Molière in the perspective of Molière's own age, but the Russian inside it will, through his frequent asides, add his own longer perspective. He is, moreover, stage manager as well as commentator—and, on occasion, director and cameraman, too. The book is an annotated scenario.

Bulgakov's values are largely implicit in his text. Occasionally he will bespeak the tribute of grateful remembrance: for Molière's grandfather, who helped the boy escape his father's profession of upholsterer ("Oh, Louis Cressé of hallowed memory!"); for the man who saved Molière from debtor's prison ("May the name of Leonard Aubry go down into posterity!"); for Madeleine Béjart, who refused to abandon Molière after his first failure in Paris ("We must remember and honor her name").

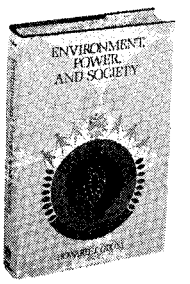
Such asides are important to the theme of the survival of talent, to which I shall return. Apart from them, however, the effect of Bulgakov's own views, when occasionally they surface, is one of casualness rather than insistence. Thus his remark: "During this period of his life, Molière made the serious mistake of listening to the evil spoken of him. The insults which he should have ignored cut him to the quick." Or, even more strikingly, this brief characterization of *The Misanthrope*, pivoting on an unobtrusive adverb: "It was a play about an honest man who protested against human falseness and was, naturally, solitary as a result." These are not editorial plants; their resonance comes only from the context of the whole narration.

The best word for that narration is an unfashionable one. It is respectful—both of the man and of his privacy. Stanislavsky had complained of Bulgakov's play about Molière that there were no scenes where his genius was allowed to shine forth: "You show him in physical movement . . . but you must also provide scenes where he is *creating*." Bulgakov, however, here as in his play, finds the outer life quite sufficient. Let us try to understand what can be understood, he seems to be saying, before we worry about what can probably never be understood: first things first. So he takes his reader behind the scenes, not to convey the subjective feel of a life but to demonstrate the meaning of a vocation and the sense of a career.

That is why there is so little literary criticism in the book. "Experienced playwrights know that the success or failure of a play cannot be determined by questioning friends or reading reviews. There is a simpler way—checking the box office." So when *Tartuffe* was finally permitted, after five years of vicissitude, the full extent of Molière's triumph is indicated in those terms: "When accounts were taken at the end of the season, it was found that *The Miser* brought in ten and a half thousand livres; *George Dandin*, six thousand; *Amphitryon*, two thousand one hundred and thirty; *The Misanthrope*, two thousand; Pierre Corneille's *Rodogune*, the odd sum of eighty-seven livres; and *Tartuffe*—forty-five thousand."

This is not, of course, cynicism or commercialism but simply professionalism. It stresses the chancy but necessary bond between the playwright and his audience, and finds it all the more worth emphasizing when the principal threats to the artist's work come from those who can stand between him and his audience. Unsentimentally, Bulgakov itemizes the bannings, and attempted bannings of Molière's works, and then goes on to celebrate that craft (in the double sense) which is the ultimate resource of the true master, the real professional. So when the prototypes for *Les Précieuses ridicules* succeed in closing down the show, we see Molière resorting to a method "long familiar to playwrights: under powerful pressure, the author deliberately mutilates his work. It is an extreme method! Thus a lizard, caught by its tail, breaks off the tail and escapes. For every lizard realizes that it is better to live without a tail than to lose its life altogether." Molière felt, Bulgakov adds, "with good reason, that the King's censors did not know that changes in the work could not alter its essential meaning a single iota or weaken its undesirable impact upon the viewer."

(A friend, after detailing the story of how the Moscow Art Theatre commissioned Bulgakov to do an adaptation of Gogol's *Dead Souls*, only to reject his imaginative plan in favor of a conventional rendering, which he reluctantly provided—and which has been a success with audiences for three decades—comments: "He was a professional! There



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are not many who know what that means in our literary life." And he quotes Bulgakov: "To be a master is not easy. Just think how many of the simplest sincere feelings one has to put aside in order to become a master, who, if necessary, can overcome even those feelings.")

The goal of the lizard stratagem is survival, the survival of art, so that it may find its audience in and after the artist's lifetime. That was to become a central theme in *The Master and Margarita,* whose devil (to give him his due) proclaims and demonstrates that "manuscripts don't burn." It is already an important theme in the Molière book, and emphasized in the closing lines: "And so, my hero passed into the earth of Paris and vanished in it. And so, in the course of time, did all his manuscripts and letters, as though conjured away into thin air. . . . But one day, though robbed of both his manuscripts and letters, he left the plot of earth he had shared with suicides and stillborn infants and took up his place over the basin of a dried-out fountain. There he is! It is he, the King's comedian, with bronze bows on his shoes. And I, who am never to see him, send him my farewell greetings."

Our perspective on Bulgakov doubles his perspective on Molière. His manuscripts, too, written increasingly for the desk drawer just at the time his talent was reaching maturity, seemed "to have been conjured away into thin air" after his death in 1940. But they have been finding their way into print over the past few years,* revealing him to a new generation as one of the best Russian writers of our century—and, paradoxically as one of the most hopeful presences in current Soviet literature. Not least remarkable in this afterlife of Bulgakov's is the way it confirms the very premises of his work. More clearly even than *The Master and Margarita,* this modest and crafty book sets forth those premises; hence its power to command an interest and compel an admiration that do not stop with Molière. □

* Compare the opening of Chapter 26, aptly entitled "The Great Rebirth": "Who can illuminate the tortuous paths of a comedian's life? Who will explain to me why a play that could not be performed in 1664 and 1667 could be performed in 1669?"

Monsters, Bores, Clowns, Idiots

THE WORLD OF CHARLES DICKENS. *By Angus Wilson. The Viking Press. 302 pp. $12.95.*

HELEN YGLESIAS

Mrs. Yglesias is a former literary editor of The Nation. *At present, she has a Houghton Mifflin fellowship for a work of fiction in progress.*

Angus Wilson reread all of Dickens' novels before putting this lovely book together. Apparently such rereading has been a yearly occurrence with him since his childhood. That's one kind of involvement with Dickens which happens to many readers. Others discover him in middle age with all the surprise, regret and passion of late love. I belong with the latecomers, having missed the childhood phase, and having been too much of a literary snob in my adolescence to have seen the complicated world of Dickens' creations behind what I viewed as a fatal flatness in his characters. *A Tale of Two Cities* was required reading when I went to high school, but I spurned goody-good Lucy Manette and the sickening martyrdom of Sidney Carton as paradigms for a statement against the glorious French Revolution. My reading of *David Copperfield* had been aborted in 7th grade, when I might have been hooked at age 12. An English teacher commented, as I chose it for "free reading," "Oh, put that back on the shelf, you're not going to read it. It's too heavy. You're just showing off." What could that mean but that it was a deadly bore? Such blockage from the academy, from lowly teacher to lofty literary critic, is somehow survived by great works of art, but it does damage and slow us down in our reading. Every reader knows that he *must* read Gogol's *Dead Souls,* but shouldn't he be told at once that it's no kind of chore to read that funny book?

Far from interposing himself between the reader and the masterpieces, Angus Wilson sends you running to the shelves to read Dickens again, or for the first time, with the heightened interest lent by his analysis, enlightenment and appreciation. His book deals with the period, the life of the writer and the writings, and illuminates them with a brilliant selection of Victorian paintings, street scenes, caricatures and contemporary illustrations for the novels, mostly by Cruikshank and "Phiz." The result is almost a work of fiction, using that word in the spirit in which Wilson describes his author's own use of factual material: ". . . his novels worked upon individuals and institutions, upon men and women and the society that bound them together, in an altogether broader way, in which detail is sucked up and dispersed, giving a sense of concrete depth to what is in fact the author's own world of fantasy."

Wilson's scholarship is solid and he uses it imaginatively, with the free, clear style of the skilled novelist that he is. He will not overwhelm you with information about the color of the wallpaper in the Dickens household; neither is he grinding away at a special view, nor bludgeoning the life and the works for an essence that is too limited to explain one or the other. He has too rich a sense of Dickens to diminish him or stretch him into perverse shapes, and too rich a sense of life, generally, to reduce its complexities to any narrow thesis. But the reader isn't left with a pile of gossip, from which he must himself dig out the man and his work. All the important detail is there, organized with critical intelligence. Agree with the judgments or not, the reader can only gain by following Wilson's analysis. Here, a part of his discussion of *David Copperfield*:

> It is Dickens's great internal—what used to be called "psychological"—novel, a Proustian novel of the shaping of life through the echoes and prophecies of memory. As such, it is beautifully told. We are always conscious of David looking back and asking himself when this happened or that happened, did I have any intuition of where it was leading me? And when he decides now and again that, yes, there were intimations, overtones that had led him to feel apprehensive, or restless, or sad, so beautifully is the book constructed that we forget altogether that it is an artefact, made up by Dickens, and we consider only the reliability of David Copperfield as a guide to the meaning of his own past life; and usually we are convinced, so balanced and careful and real is the sense of remembered things, that David is a valuable guide, that this is how it happened. In this sense *David Copperfield,* the least socially integrated of Dickens's novels, the most internal, is paradoxically the most "real." In part, as with Proust's Marcel, this is because with D. C. (David Copperfield) we are so close to the reality of C. D. (Charles Dickens). But it is so even more because of Dickens's superb artistry in the management of the narratives, of the echoes and the overtones of memory. In this one respect *David Copperfield* seems to me quite the artistic equal of *A la Recherche du Temps Perdu.*

This is the admirable approach sustained throughout. Wilson's discussion of *Hard Times* is especially interesting, encompassing, while refuting, F. R. Leavis' advocacy of this work as one of the great novels—indeed Dickens' greatest—and illuminating the apparent contradiction between Dickens' nasty por-

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trayal of a working-class leader and his strong sympathy for the harshness of working-class conditions.

Dickens' bad time put in at Warren's blacking factory, the humiliation and loneliness of the period of his family's stay in debtor's prison, his early unhappy love affair with Maria Beadnell, his marriage to Catherine Hogarth, and the strange involvement in their life of Kate's sisters, his affair with the young actress Ellen Ternan and his separation from Kate, the birth of his seven sons and three daughters (which he seemed to feel was entirely Kate's doing), the stories his nurse Mary Weller told him when he was a young child—these and all the rest of the details of the full private life and the glorious public life are utilized for what is the proper business of the critic. What did these experiences mean for Dickens' work? How did he use them? How did his relationship with women affect the portraits of women in his novels? "Let's see about that," the reader feels, and goes back to *Nicholas Nickleby* to re-examine the portrait of Nickleby for the ridicule and indictment of Dickens' mother that Angus Wilson finds. And it is an interesting assignment to check *David Copperfield* against the Proustian measure.

Angus Wilson preserves the life of the life and the life of the novels. There are no dry critical wrangles here; but he does not close the door against what may be ambiguous and strange. He writes:

> He would be astonished, no doubt, at the complex patterns detected in his novels by many modern university critics, but about the praise given to him for his hold on the mythic qualities of storytelling he would, for all his concern with "reality," be delighted and not really surprised. For Dickens never ceased to know, as he shows in *Dombey and Son*, that it is not the learned of this world, the Dr. Blimbers crammed with factual knowledge, who matter; but Glubb "the old, crab-faced man, in a suit of battered oilskin, who drew Paul Dombey's invalid chair"—"he knows all about the deep sea, and the fish that are in it, and the great monsters that come and lie on the rocks in the sun, and dive into the water again when they're startled, blowing and splashing so that they can be heard for miles." Dickens's novels bear lasting testimony to these monsters.

Monsters, bores, clowns, idiots. G. K. Chesterton's charming comment that the people we run from in life, we run towards in Dickens, is, in a sense, a key to his genius. In his hands, bores become inspired comic inventions, and in the inventing their humanity comes speakingly, deeply alive. Dickens' thinnest caricatures and one-note villains are truer than the craftiest diggings of the contemporary, cerebral satirists and anti-novelists, for all of existence was subject matter for his storytelling, and fantasy and reality combined into the life we all know and recognize. □

THEATRE

HAROLD CLURMAN

There is something really new in town: the production of *Orlando Furioso* by the Teatro Libero di Roma. True theatre lovers will be glad they saw it, whether or not they liked it.

It is a *show*, a fantastic show, given first in a church in Spoleto, later in the Cathedral Plaza of Milan, then on the floor of the Amsterdam stock exchange, still later at an ice rink in Edinburgh, and in Les Halles in Paris. Here it is being done in a "Bubble Theatre," an inflated dome located in Bryant Park with an entrance on West 42nd Street.

The audience stands and is obliged by the show's action to move about—sometimes in great haste. There are platforms at either end of the free space, and a rostrum in the center. The play is simultaneously enacted on both platforms and often on the rostrum as well. "Horses" (beautifully wrought in metal) dash in from various points of the arena and very nearly run us over, creating hilarious peril. As far as I know, none of the 2 million people who have seen the show in Europe was ever hurt.

We are, in effect, strollers at a street fair, looking at whatever pleases us most at the moment. I found myself spinning around so I would miss nothing. There are lordly warriors, monsters, distressed maidens, hippogriffs, sprites, crazy friars—a mad panoply of medieval lore. The characters harangue, scream, orate, implore, duel, make love, rape, kill. If you understand Italian you may catch some of the lines, though the theatre is large and the general din is incessant. An outline of the extremely intricate story is printed in the program, but such help is superfluous. What counts is the movement, the color, the atmosphere.

Orlando Furioso resembles the popular (open air) theatre of the Middle Ages, and the parallel offers a clue to understanding this extraordinary event. The production style developed by the young director, Luca Ronconi, is consonant with the material from which it springs. In so much of what is called "new" or *avant-garde* theatre, production methods are imposed on texts that are unrelated to them. The result is distortion or betrayal, which is not the same thing as a fresh interpretation. Those who espouse this strategy say "to hell with the original text: this is *theatre*." But whatever the text, it must be made part of a content; else, why that particular text, or any verbal text at all?

Orlando Furioso by Ludovico Ariosto (1475-1553) is a long epic poem written over a period of ten years beginning in 1505; it is a product of the early Renaissance. The age of chivalry, the poem's subject, was read about in Italy though it had bypassed that country. Medieval romance was something of a joke to the man of the Renaissance. *Orlando Furioso* is essentially comic, packed with hectic incident, antic plot, extravagant invention. It has the pulse of a wild energy, bursting forth in exultant laughter. It has none of Aristotle's "unity of action."

"The very essence of chivalry," the great Italian critic Francesco De Sanctis says in his *History of Italian Literature*, "is precisely the freedom of the individual, the want of seriousness and order, the want of continuity, the want of a single main action, so that the deeds in chivalry are known as adventures and the knights as 'errant.'"

Ariosto was inspired by the chivalric world because, again to quote De Sanctis, "Chivalry was legend and romance, a world of the imagination that is interesting not for its ideals but for the novelty, the variety, the extraordinariness of its chance events. And in proportion as the meaning was empty and frivolous, the content became fantastic and lewd, and all the unity of time and space and verisimilitude were done away with."

In the dawning of the Renaissance, De Sanctis adds, "Man standing in the middle of bewitched Nature was . . . a primitive, credulous, ignorant being, governed by desires and passions, and moved to action by sudden impulses rather than by reflection; one who has

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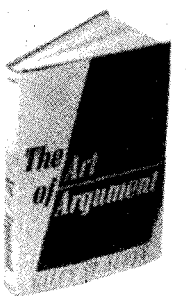

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never stopped to look into himself, and lived entirely on the surface, all in the outer tumult and heat of life. . . . Man [was] a force pulled this way and that, confused by the changing play of events, poor in character and autonomy."

This has a contemporary ring. Renaissance man, De Sanctis tells us, had "sensibility more than feeling, impressions and emotions rather than passions. . . ." The aptest criticism of *Orlando Furioso* as a poem is one which also applies to this production as the director and the adapter, Eduardo Sanguineti, has conceived it. "The content is a game of the imagination, and we do not sink into it nor get impassioned over it, for the simple reason that we feel it to be a dream."

The dream is the phantasmagoria of a turbulent society. It is also in a peculiarly naive sense the way the Italians still are and the way we, in our confusion called "sophistication," also are. Ariosto gleefully and ironically gave himself and us free rein to indulge in the fabulous. His poems and the show extrapolated from it are thrilling "camp" and, on the whole, vast fun.

It is not however a show for the aged and sedentary. It cannot be appreciated in the complacent mood of a person down front, goggling at a Broadway musical. Though it runs only an hour and a half, it is too long for non-Italians. Even moderately well-educated Italians are familiar with the poem, and can quickly identify its multiple episodes by sight as we recognize at a glance the characters and scenes from *Pickwick Papers* in Cruikshank's illustrations. Still, I suggest that one remain at *Orlando* until the end of the performance, so as not to miss the final moment when the actors are all enraged and caged in a labyrinth in which they go on joyously hamming it up to the top of their bent. With the single reservation about the playing time, I set the occasion down as a signal achievement in the theatre of our day.

The irony of Bertolt Brecht's *The Good Woman of Setzuan* (at the Vivian Beaumont Theater of Lincoln Center) is wholly different. It is informed by a sort of folksy shrewdness which masks pathos with a grin. Its theme is the very simple one recurrent in Brecht's work beginning with *The Threepenny Opera*: we live in a world in which goodness does not pay.

In that Brecht-Weill masterpiece it is enunciated in the song of which the following lines are typical: "We'd all like to be good, that's very clear, each giving to the poor in Christian love, if all were good His Kingdom would be near. . . . *But circumstances would not have it so!*

In *The Good Woman of Setzuan*, which is a parable of considerable charm, the gods of a Brechtian "China" bestow a gift of money on the one good person in the village of Setzuan, a prostitute. Her goodness makes her a victim of a horde of neighbors who take advantage of her kindness. Only when she poses as her "cousin," a tough trader, does she manage to survive and prosper.

The gods cannot help her: they rarely interfere in worldly matters. (When they do one of them suffers a black eye.) Wong, a friendly water carrier, begs them to relax their rules. What, for instance, would he suggest? "Benevolence instead of love." But that, the gods tell him, is even more difficult. Or "fairness instead of justice." That requires greater effort. "Then just plain decency instead of honor." Harder still!

The play arrives at an impasse which, Brecht declares, makes an unsatisfactory ending. The audience, he adds, must find a solution. Shall we create another man? Or another world? Perhaps other gods—or none? A happy ending must be found, it must, must, must.

The Repertory Theater of Lincoln Center persists in the habit of providing interesting scripts with disappointing productions. There are some good actors, Colleen Dewhurst, Stephen Elliott among them. Lou Gilbert as the water carrier is especially winning; he possesses kindness of heart and disarming innocence by nature.

But I find it hard, almost impossible, to evaluate the production because it has no unity of style. I am certain that it lacks luster. So I am torn between saying, "Stop all Brecht on our stage till we are able to do him justice" (we are giving him a bad name in America), or yielding to the hapless temptation of advising that we see his plays even when their staging leaves so very much to be desired. Even in mediocre performances they are pithy and provocative.

But why were the Brecht songs replaced in *Setzuan* by inept ones from another hand? Brecht was a masterly poet; his songs were not meant as ornament; they are very much part of his play's meaning.

I would call *Touch* a campfire or a hit-the-hippie-trail show, if these designations did not seem to diminish it. It is a gentle and modest musical with book and lyrics by 24-year-old Kenn Long who also composed the music and appears in the production. For the music, he has had the collaboration of 19-year-old Jim Crozier, as in the writing of the book he had the aid of the show's director, Amy Saltz.

I mention ages because they are descriptive of the cast and the event as a whole—no one is older than 24. A "communal musical" (Village Arena Theater, 62 East 4 Street), *Touch* is really that. The company were members of a summer theatre in Warren County, Pa., for four years. Their show is about youngsters who for one reason or another live together away from their family homes and seek to form one of their own.

They are most sympathetic in their effort and in their persons. Better still they (thirteen of them) act and sing with simple grace, and what they sing is always pleasant and sometimes affecting. There is profanity but not a trace of vulgarity in text or performance—a rare thing nowadays in entertainment of this kind. *Touch* is sentimental, but never cloying. I enjoyed the evening. □

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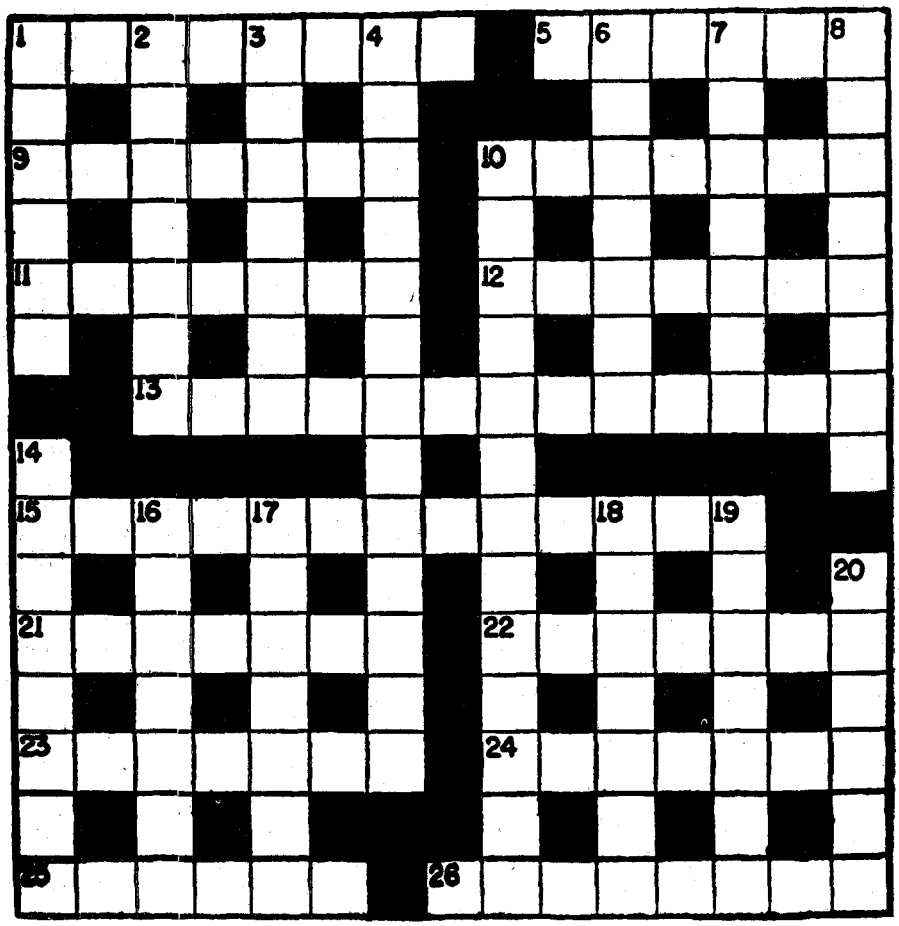
Crossword Puzzle No. 1369

FRANK W. LEWIS



ACROSS

1 Make up again? Have fun! (8)
5 A high-pitched solo for the star? (6)
9 Explosive edict, or could be! (7)
10 Endorsement supporting the picture, possibly taking a reverse approach. (7)
11 Little Italian needed in the band? (7)
12 Notice signs up here? The next thing does. (7)
13 Possibly food taken into the cell. (5,3,5)
15 Old for Taylor, but crude. (5-3-5)
21 Disorderly type rascal—possibly should be well-paddled. (7)
22 The day of rest. (7)
23 Once but no longer a form of banshee. (3-4)
24 Oriental flower found only in two major points? (7)
25 24 doesn't have the right sign to give a body trouble. (6)
26 It doesn't suggest a local coffee! (8)

DOWN

1 Take Latin—it could tell you how a dish is made! (6)
2 Perhaps something on foot, on horse, or one of those things that might take drawing after a light application. (7)
3 Just an incident in the course of continuous experience. (7)
4 Implying yellow is just average? (3,6,4)
6 Trismus might be responsible for a person being close-mouthed. (7)
7 His belief may be considered primitive, in its main holdings. (7)
8 Concerning a soldier's attempt to get listed nationality? (8)
10 Those who have confidence in the mental processes worked for Franklin. (5,8)
14 Tribesmen, or a Pasha thereof. (8)
16 Lifted out of what sounds like a jail? (7)
17 Superlatively 16. (7)
18 Time to put on your eye-shade, according to counsel. (7)
19 Naturally, they're in the American League. (7)
20 Try this on for religion! (6)

SOLUTION TO PUZZLE NO. 1368

ACROSS: 1 Caporal; 5 Misstep; 9 Shoes; 10 Nonlinear; 11 Dope; 12 Sealing wax; 14 Porter; 17 and 15 Cabbages and Kings; 19 Bribes; 22 Abandoning; 23 Beef; 26 Authoress; 27 Ships; 28 Kidneys; 29 Dry cell. DOWN: 1 Cased; 2 Prosper; 3 Rash; 4 Longer; 5 Mingling; 6 Spinnakers; 7 The Swan; 8 Paroxysms; 13 Demand note; 14 Pickaback; 16 Meanness; 18 Blasted; 20 Beeline; 21 Unused; 24 Fusel; 25 Ashy.

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